REMINISCENCES OF AN INDIAN JUDGE

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OF THE
STATE

REMINISCENCES

OF

AN INDIAN JUDGE.

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BY

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F. LASCELLES.

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IN SIX PARTS.

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GUERNSEY: E. LE LIEVRE, STAR OFFICE,
BORDAGE STREET.
LONDON: SIMPKIN, MARSHALL & CO.,
STATIONERS' HALL COURT.

1880.

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INTRODUCTION.

In publishing these Reminiscences, I yield to the urgent suggestions of many valued friends. Were I simply to consult my own feelings, I should still maintain the silence to which I have long adhered. Resolved as I am to observe the utmost forbearance in treating of personal wrongs, it will still be necessary, though very painful, for me to record facts which may not redound to the credit of the service to which I for so many years belonged, and from which it would be my desire to avert all censure.

It has been pointed out to me that the knowledge and experience which I acquired during a residence of forty years in the East, and in the exercise for thirty-two years of the functions of an Indian Judge, might enable me to convey much information to the British public, in connection with that Indian Empire which is daily increasing in interest and importance in the eyes of all Englishmen. Yielding to this consideration I have reluctantly taken up my pen to record a few incidents of general interest connected with my Indian life, in hopes of being able to bring to the knowledge of

my very numerous relatives, friends, and the world, facts which will much interest them; and also by the introduction of various circumstances of a religious and political nature, expose to light that which would otherwise have remained unknown. Regarding my public career I have nothing to conceal, nothing to explain away, nothing to simulate, nothing even to defend.

PART FIRST.

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CHAPTER I.

How first employed in India.—The state of the "Ceded and Conquered" Provinces—Sir Thomas Munroe and his Punic War—Anecdotes of robberies in the ceded districts—Adventure and robbery of Lady Munroe, Lady Gordon, and Lady Grey—Building of the first Church in the district, and the Christian Village of Goshen—Opposition to Mission Work—Glorious change—Bishop Dealtry's visit to Hoonore—Gursopah Waterfalls—Two short Speeches—First Female Native Communicants—German Missions on the Malabar coast—The Burial Place of a Waterloo hero, General Hill.

In the year 1812, a relative, a Peer of the Realm, obtained for me from the President of the Board of Control, an appointment to India in the Civil Service. After passing the usual examinations, and going through College at Haileybury, I landed at Madras in 1815, and was in due time sent on duty into the "ceded and conquered provinces." At this time I had the honour of becoming personally acquainted with Sir Thomas Munroe: he was collecting a body of Peons (police) in the ceded districts, for the purpose of quelling the Mahratta insurrection; we gave to this little campaign the soubriquet of "Hannibal and the Punic War." Sir Thomas Munroe, on becoming the Go-

vernor, appointed me head assistant to the Collector and Magistrate, and soon after Acting Civil and Criminal Judge in the same district.

For seven years I resided at Cuddapah, called from the unhealthiness of its climate, "the penal settlement." This atmosphere and hard work, seriously affected my health, and for a time broke down a good constitution.

Cuddapah is one half of the ceded provinces, Bellary the other half: the former is nearly 300 miles in length, and it had a population of a million and a half. These provinces, when ceded were found to be a nest of freebooters, which it was desirable to reform. Mr. Ross, the Collector, and Mr. Newnham, the Judge, were remarkably conspicuous for zeal and activity in these districts. On one occasion they started together, to visit a village where some robberies had been perpetrated. On reaching it, the head men were summoned and lectured. The first night the two gentlemen retired to rest in their palanquins. On awaking next morning, they discovered that every item of clothes taken off on the previous night, had been carried off, even to their boots and hat. What was to be done? Nothing, except to call the bearers to take them back to Cuddapah, where a mob had collected to see the gentlemen get out of their palanquins; which annoyed them both much. Shortly after this, all the property that had been carried away, was during the night placed in one of their verandahs.

On the next excursion of a similar kind, these two gentlemen had to attend them as guard, a young European officer, and a company of Sepoys. The head man of the first village they halted at offered to give them a guard to protect them: this was indignantly refused. Very early in the night, an alarm was

given, and the guard was turned out; in order to frighten the supposed thieves, and to show that they were awake, the young officer gave orders for a volley to be fired, the muskets had been loaded the night previously. "Fire!" cried the young officer;—all was still: "Fire!"—still louder—no sound in reply. Every flint had been extracted, and the party had not even a spare one in hand.

I well remember that when Lady Munroe, her sister Lady Gordon, and Lady Grey, were passing through this part of the district, all their watches, chains and seals, were extracted from below their pillows, while they were asleep. This was done while a strong body of sepoys was guarding the tent. The thief confessed to me, that he went naked and oiled from head to foot: that he laid down on the ground and did not move whilst the sentry was approaching him, but when the sentry turned round he moved nearer, and so on, till the tent was reached, where he soon worked himself under the awning. Having a few small pebbles, he kept throwing one on the bed, till there was no proof of the lady being awake: he then, having seen her put her watch under the pillow, extracted the same, and retired in the same manner as he had entered. Being afraid that if these watches were seen, they would betray him, he melted them all down with the chains and seals into one piece: that piece was sent by me to Judge Grey at Madras.

During the period of my residence in this district I took an active interest in the education of the natives, and in the erection of a church, schoolrooms, and in building the village of Goshen for the native Christian converts. These works in 1823 and 1824 were, as subsequent events proved, very distasteful to those high in authority, but, what a glorious change took place during the

next thirty years. I lived to see the very same work done in Hoonore, on the Malabar coast, in 1853 and 1854, by the same hands, which met with the full approval of many good men, also high in authority. What a change! it was all accomplished by ceasing to interfere with God's work, which when man attempts to interfere with always goes wrong. Whether the state which seeks to advance Christianity by the worldly means at its command, or the earthly power which opposes it by violence, does the greater injury to the Church, and the people of God on the earth, has been a great historical problem to men of all creeds. It is only those who witnessed this total change, from death to life, and watched its gradual development, who can fully appreciate its glorious beauty, and its precious value. To illustrate this, I will here relate an incident of much interest at the time, to many whose best wishes were with this glorious work. The chapel, parsonage and school-room were just finished at Hoonore in 1853, when Bishop Dealtry notified his intention of visiting the station. He was the first Bishop who had ever done so. It occurred to me, that I might with a little trouble, give to the Bishop, Mrs. Dealtry and the large party, which accompanied them, a great treat which was, that during the 48 hours the steamer was allowed to remain at anchor at Hoonore,—by previously making certain arrangements,—I could show the whole party the far-famed Gursepah Waterfalls, much the finest known and visited in the world. With this object in view and knowing when the steamer would call, all necessary preparations were made.

The Gursepah Waterfalls were forty miles inland, and there was not one mile of anything resembling a road, the distance had to be traversed in snake-boats, through a densely heavy forest, up to the foot of the Falls, the river being full of alligators, and then we had to climb 1,000 feet.

The steamer hove in sight on the day fixed, I boarded her, and had very nearly landed the Bishop's party in my yacht, the Undine, by the time the steamer had anchored.

The time required for the Bishop to visit the new buildings, to present me with a Bible and Prayer-book for the Church, and to make necessary preparations for the new "board of ship" meaning the long snake-boats that were to take us up to the Falls, was very short.

These snake-boats are made of one tree, and manned by three men each, who scull at the rate of about 8 knots an hour. They are the cheapest, smoothest, and most comfortable way of travelling, the song of the boatmen keeping time to their stroke through the dark silent forest by night, soon lulls the traveller to sleep. The journey took only a very short space of time, so that early next morning, a very jolly party of eleven assembled in front of the Gursepah Falls, where at the foot of a large tree, the cloth was laid for breakfast: tea, coffee, black pomfret (a kind of sole, but much richer) and mutton chops,—for the servants had taken up a good sheep for us.

The chaplain, Mr. John Rawlinson, had been left behind to examine a large school, composed chiefly of female converts; the Bishop, in consequence, called upon a young Artillery officer, my wife's brother, to officiate as chaplain: that same gentleman is now a Lieutenant-General of Artillery, with eight sons and some few daughters. After breakfast we walked about viewing the many sights till near three o'clock, when we returned to the same tree for dinner. By this time the servants had managed to get up a very good repast, and after the Bishop had asked a blessing Mrs. Dealtry made a speech. Pointing to

the repast that Lady said, "who would believe that all now before us was yesterday afternoon at Hoonore."

The view of the Falls from below the dinner tree at this time was such as is seldom seen. We were fortunate in the day,—it was cloudy,—and also in the state of the water: it was neither an "Almighty down-pour," as a Yankee would call it, nor was it reduced to several separated, but beautiful Falls, which were well known by their names,—such as "the Great Fall," "the Rocquet," "the Dame Blanche," "the Roarer," &c. About 600 feet above where we were sitting was a long line of dark blue water, just breaking into white; this, falling over, passed down about 400 feet from where we were into a vast abyss, with a tremendous roar. The breadth of this dark blue volume of water was about 500 yards, and the depth of the pit into which it fell was double the number of feet. Much of the Fall was perpendicular; at other places, the various projecting rocks, some catching the water as it fell, broke it into endless variety of shapes and forms. The "Rocquet" was in all its glory, ricochetting half way down from a deep hole in the rock, large volumes of water into myriads of arched circles of rainbow-tinted spray. The whole of the falling blue mass had worked itself, before it reached the bottom, into a thick bright white mist, in which numerous pigeons of all colours were sporting, a sight more attractive than anything of the day, but not so impressive as the majestic peals of thunder which from time to time rolled over this beautifully exciting scene.

After dinner we repaired to our boats, and well does the traveller sleep in his comfortable bed in the snake-boat, after a day passed amid these exciting scenes, and after having dined upon black pomfret, and chops from a stall-fed sheep, fattened with the

leaves of the jack-tree, such chops being only placed on the charcoal fire when called for; finishing with two bumpers of Sillery's still champagne.

The next morning we found ourselves at Hoonore. There, after breakfast, at twelve o'clock, the Bishop assembled the Society. Every white face at the station was present at the communion-table, which very much gratified the worthy Bishop; but what gave his Lordship still greater surprise and pleasure, was, that three native women presented themselves as communicants; they were the first native women the Bishop had ever seen at the Communion-table. These women had with others on the previous day, undergone a long and searching examination by the chaplain, the Rev. John Rawlinson, and his Lordship informed me that such was the chaplain's testimony concerning them that he dared not refuse them, nay, was delighted to give them, all the rites of other sincere Christians.

In the afternoon I put the party on board the steamer, and before the forty-eight hours had expired the anchor was up. On its being remarked that Hoonore had not been visited by a chaplain for four years, his Lordship energetically remarked, "You have had much better, you have had the Lord visiting you." "I have this day entered on my notes, more than I ever wrote on "any previous visit to any station,—'That every European at the "station had been present at the Communion-table and that three "native females, the first native communicants I had ever seen, "were present also.'"

On the deck, when taking leave of the good Bishop, he addressed us in a few impressive words; having noticed Mrs. Dealtry's speech at the dinner the day before, at the Gursepah Waterfalls, I must not omit some mention of her husband's. The Bishop

pointed to a much greater object than the dinner, viz: to that most beautiful of all beautiful scenes, the entrance to Hoonore harbour saying with truthful emphasis, "There is a spark alight "on that shore, which shall never be extinguished." The German Missionaries from Basle who followed Dr. Gündert to the Malabar Coast, soon spread the glorious Gospel from the highest of the wild Coorg mountains, to Cape Comorin, in the gulf of Manaar, the lowest point in the peninsular, a distance of 500 to 600 miles.

It is perhaps not generally known, that General Hill, a well-known Waterloo hero, who after being wounded in battle, was, as a reward for his services, given the command of a division in India, died at Gursepah.

Allow my Reminiscences to show for the satisfaction of those who are interested in that highly respected and honoured officer, that his remains were brought down and buried by me at Hoonore. Over his grave was built a stone arch, and over that a massive stone tomb; round the whole was built a six foot wall, and shortly after this a monument of great height was placed on the spot, to the memory of the gallant officer. This obelisk can be seen many leagues out at sea, and has since become a good landmark. A portion of the Bishop's party visited this monument, and expressed themselves much gratified when they discovered by what means such a stupendous building had been erected, all of massive cut stone.

CHAPTER II.

Removal to Western Coast by Sir Thomas Munroe—Captain O'Brian's Visit—Acquaintance with and anecdotes of Parsee Dadyboy—Interesting account of a small One Shilling British and Foreign Society's Bible—Dadyboy's Vow, his Building a Church—Destruction of a fine edition of Mant and Doyley's Bible—Dadyboy employed in the Coorg country, translates part of the Bible to the Coorg Rajah—the consequences—an account of the state of the Coorg country—the Rajah makes a vow, and comes to England, cedes his territory to Her Majesty the Queen conditionally—the consequences—Visit to Lord Congleton—Particulars regarding the Author's conversion.

In 1825 it was the Governor's (Sir Thomas Munroe) pleasure to remove me to the Malabar coast, to Tillicherry. When I reached the coast, I was one pound below ten stone weight, but six feet high. There was nothing left for me, but to take a voyage to England in the following year.

I had only been a short time on the Malabar coast, when an old friend Captain H. O'Brian, Cavalry, called on his way on duty to Cananoor. On visiting a shop together in Tillicherry, kept by a worthy and honourable Parsee, and taking a seat on a couch in his verandah, my friend put his hand on an open English Bible: a small well-worn "British and Foreign Bible Society's" edition. This caused some surprise, and led to a long conversation with this interesting character at the time and subsequently. He was no *ordinary* man, his name was Dariashaw, commonly called Dadyboy. He had, some time previous to our

visit, removed from his house, extinguishing, what he had long looked upon as sacred fire, and had declared himself to be no longer a follower of Zoroaster. Every endeavour was made, on various occasions, to induce this man to submit to Baptism, and thus to adorn the Gospel, by a bold outward profession of his faith in Jesus, but without effect. He had only one answer I regret to say, and from this he would not be moved; it was this,—"God will do what is right, and anyone doing this or that, will not influence Him, or cause Him to turn away." Much, nay *very* much, was said to show him his error. In after life I often met with this man, no change had taken place. Could it be said that he was saved? If so, on what grounds? Was he on the Rock? If not, was all right? To hold out that he was saved, appears to me an error. Where is the proof that he was a child of God?

At this time Dadyboy gave us a very interesting history of how a beautiful church at Tillicherry had been built some ten years previously on the edge of the sea. It came to pass that Dadyboy had for sale a quantity of Malabar coffee. This coffee Griffith's house agreed to purchase, if it was first sent to Mocha, and there re-shipped to Madras. This was done, and Dadyboy claimed, according to agreement, a large sum. Griffith refused payment, Dadyboy put the case into the Tillicherry Court, and there left it, as he said, "trusting to God."

In due time the Court threw out the case for non-attendance, Dadyboy was then obliged to attend to pay costs. He complained that it was hard, as it was evident that Griffith had received the coffee. Dadyboy was then informed that he ought to have attended and filed the documents as proof. He then produced them, but was told that it was too late, that he must appeal at Madras and file the papers, when he might be sure to

gain his cause. Dadyboy informed us that on his way home the same day he resolved upon appealing, and he then made a vow, that if he gained his cause in Appeal he would erect a church for "the people of the Bible." This had come into his head from the fact that he understood the Rev. Mr. Spring was collecting money to build a church. Dadyboy gained his cause in Appeal, and, in consequence, to work he went collecting wood and stone, when one day he met the Rev. Mr. Spring with the list of subscribers in his hand: he communicated all his troubles to that gentleman by telling him that if he, a Parsee, built a church, the "people of the Bible" would not go into it, consequently, his vow would remain unfulfilled. In conclusion he informed us, it was settled, that, to enable him to fulfil his vow, he was to be allowed to build the chapel, and it was afterwards to be made over to Mr. Spring. Prejudice against building a Christian church was great in those days, consequently a difficulty arose as to obtaining a site; but Dadyboy overcame this by building the church on the extreme edge of the sea-shore, among the rocks. Soon after the church had been made over, Mr. Spring, retired, and the chapel fell into the hands of Government by purchase.

The building at the time I went to Tillicherry required repairs, an estimate was made, and Government was asked to sanction 1,200 rupees. There being no chaplain, fears were entertained that Government would not sanction this disbursement. This caused a subscription paper to be taken round, and of course I took it to be headed by the Head of the Station, the first Judge, a man known to have immense wealth. He refused to give one rupee, stating to me that he never went into the chapel. A very few days after making this statement

this man died, and I read a part of the funeral service over his remains in that chapel; this created a great sensation.

The Government refused to sanction the disbursement, as was expected, and gave an order to pull down the building. At the time this order was given, and workmen were actually sent to pull it down, the Rev. James Hough and the Rev. Joseph Fenn, with their families, were residing in my house, *en route* for England. It was then suggested that I should propose to Government, through the chaplain, the Rev. J. Hough, to purchase the building, or to repair it, and keep it in repair, rather than we should be deprived of the enjoyment of meeting together, which we did weekly. This proposition was duly forwarded by Mr. Hough, and the answer was most favourable, making over the building on the conditions proposed, and for the purpose specified. On my leaving Tillicherry soon after, this building, and the sum of 20,000 rupees, which had been left in my care as a charitable donation, were made over by me to the Church Missionary Society, on the condition that a Missionary should be sent to the station without loss of time. This was not carried out by the Church Missionary Society, and ten years after this, in 1838, I had the satisfaction of assisting in sending a Missionary and his wife to Tillicherry, which was the commencement of the German Mission on that coast.

The little old black British and Foreign Bible, and Dadyboy will play hereafter a very conspicuous part in an interesting political Reminiscence; at present they must both stand aside, whilst I relate, what at this time took place, the particulars relating to the destruction of one of the most superb and costly Bibles, I had ever seen (Mant and Doyley's), full of good plates, on richest paper, and bound in whole Russia.

My friend, Captain H. O'Brian, had got possession of a Bible subscription list, and not knowing anyone at Cananoor with whom to take up his abode, selected Major Brett commanding Madras Artillery at that station, as a suitable person to reside with, because he subscribed annually 100 rupees to the Bible Society. I well knew this old bachelor Major to be a worthy man, but not a person for the Irish Captain's host, unless I was to make one of the party; they would be certain to squabble, and unless some one was at hand, it might prove unpleasant.

A note to Major Brett informed him of our intended visit. We arrived in time for breakfast, and after a little conversation, the Artillery Major came out with one or two of his favourite exclamations such as "upon my word," when the Cavalry Captain called out, "don't swear, dear brother." The Major looked astonished, but was silent: soon after the "upon my word," was repeated, and so was the "don't swear, dear brother." Upon this the Major denied that he had been swearing, a conversation then took place in which I joined; we became of one opinion, that it was swearing; and here ended our first little difference. Another quickly followed, before the second cup of tea was fully disposed of, and was of a much more serious nature, no less than the doctrine of Faith and Works, the Captain maintaining that, we are saved by Faith; the Major, by Works. Long was this battle fought, when at last the Major left the room, but soon returned with a most splendid edition under his arms of Mant and Doyley's commentaries on the Bible, two volumes full of well-finished plates, and bound in whole Russia. Turning over to Genesis xxii., where Abraham offers up

Isaac, and having hunted among the notes, at the foot of the page for some time, the Major at last exultingly read a note, which so far clearly stated that man is saved by his Works. The Captain very coolly asserted that what the Major had read was "*not the Bible.*" Long and anxious conversations on that and the following day, took place on the above subject. It closed, as all such arguments of a like kind will close, if carried on in a truly Christian spirit, most satisfactorily. The Major being fully persuaded that Mant and Doyley were in the wrong, consequently, a bonfire was to be made of this fine Bible; Major Brett would not allow any one to have it, because it had for years sorely perplexed him, and *now* it should be *burned.* After this the Major and Captain became perfect brothers.

Soon after this two Ceylon American Missionaries halted at Tillicherry, on their way up the coast, on a matrimonial spec. To assist them (I was always famous at this—I have had nineteen marriages out of my house, and now am looking forward to the twentieth—a great-grandchild, or perhaps two.) I went with them to Cananoor, and there we stayed with Major Brett. Of course, Faith and Works were discussed, and Mant and Doyley's Bible was examined. Mr. Woodward, one of the Missionaries, looking the Major full in the face, said, "You do not intend to *burn* such a book as this," laying his hand upon the beautiful volume. "*I do,*" said the Major. A regular contest took place, which ended in the Major very reluctantly giving up to Mr. Woodward the two ponderous volumes as a text-book, and there the matter ended for that day. Next day the Rob Roy touched for passengers, and Mr. Woodward, being anxious to proceed in it, put all his little property, "Mant and Doyley" included, into a surf-boat and started for the Rob Roy,

which he never reached; the boat was upset in the surf, and his luggage with the Bible, all went to the bottom. He was saved, and returned to the Major's hospitable dwelling, where he got little sympathy, for the Major told him that he should "have allowed Mant and Doyley to be burned, that no better fate could have been expected for such a work."

A few months after this occurrence, Mr. Woodward returned with a wife, and kindly baptised my only daughter, Mary Lascelles, then one month old, now the grandmother of a dozen children.

About this time the Coorg Rajah was making himself very troublesome; he had murdered upwards of 100 wives, and great difficulty was found in keeping him in order. A request was sent to the Judges of our Court to ascertain if we knew any one suitable to be sent to the Rajah, who understood his language and was likely to have an influence for good over him. Now, Dadyboy was the Coorg Rajah's agent and merchant, knew the Coorg language well, and was the most fit person to act as plenipotentiary to Coorg. Dadyboy, on a good salary, accepted the office, and after packing up his traps, the little British and Foreign Bible included, he started for Coorg, taking all his notions about vows with him.

Dadyboy very soon began to interest the Rajah by translating into the Coorg language large portions out of the historical parts of the Old Testament, and it is not to be wondered at, that so able a man, with such a subject, should have fascinated the Rajah, who had not an idea in his head. Night after night was thus passed, and long conversations were held till the Rajah found that he could not do without Dadyboy and his stories, which in the hands of a man possessing the talent of a Dadyboy,

became more deeply interesting than the far-famed "Arabian Nights," which have been translated into every language of the East, but not by the Tract Society. The Rajah refused to allow Dadyboy to return to Tillicherry, and placed a guard over him.

The Coorg country at this time was almost inaccessible; for several years previously, on the slopes of the hills which surrounded it, everything had been done to encourage the growth of the bamboo; by no fires being lit, so dense had this jungle become, that an unharnessed elephant could not have been driven through it, and it was only by intricate windings that a messenger could be conducted by native Coorgs up to the town. These bamboo jungles were inhabited by a naked wild race of human beings, who made their homes in thick bushy trees, and lived on honey and small birds, eaten raw, which they shot by means of stones blown through a tube. These were the Rajah's Telearies (guides) and acknowledged no other master, and they were the pioneers through this almost impenetrable forest, and the only means of communication with the surrounding districts, or with Government.

Such an effect had Dadyboy's stories upon the Rajah, that he at last resolved, that "if the Queen of the Bible" would take his favourite daughter "Guroma," educate her, and allow him a pension, he would give up his country and have no more trouble. To this effect, following Dadyboy's example, *the Rajah made a vow* which was put into writing, and forwarded to General Fraser, then commanding the troops, and in this way the Government became possessed of the Coorg territory, without the loss of one drop of blood.

Dadyboy having secured a passage to England for the Ex-

Rajah and his daughter, they embarked at Cananoor, and in due time arrived at their destination. The Rajah and his daughter, then a girl of tender years, were duly presented to her Majesty the Queen, who in her customary gracious manner, most kindly received them, and the child was henceforth known as Victoria Guroma, and had, as is well known, every attention paid to her education; she was afterwards married to an officer in the army. The Ex-Rajah continued in England, and Coorg soon became a rich and flourishing country. A Missionary (Mr. Mögline) laboured successfully in Coorg.

Dadyboy retired from public life, and died some years after, upwards of ninety years of age, very generally esteemed and respected, as the head of Dadyboy and Co.'s house at Cananoor.

Previous to quitting the Malabar coast, I am anxious by a short explanation to correct a small error which has crept into print regarding myself. In 1877 when paying a visit to my daughter in Brighton, she asked me, if I should like to call on my old Powerscourt friend, John Parnell, now Lord Congleton. To this I fully consented, I had not seen the gentleman for 50 years, but I had been in constant communication during that long period with the whole of the Persian Mission party. We found his Lordship at home, and as usual, ever ready with something interesting. He accosted my daughter by asking her if she had ever heard of the singular baptism, which had been the means of her father's conversion? She replied that she had not; his Lordship then related as follows :—

"One day at Tillicherry, in the same year in which you were "born, your father went out to bathe as usual in the sea. "There was a storm of wind raging at the time, the sea was "unusually rough, rolling in with great breakers, much too wild

"to venture into. Your father, however, not wishing to be "deprived of his usual bathe, got upon a long sloping rock, "against which he observed the sea was breaking with great "violence, sending the spray over the whole rock, sufficient to "give him a shower bath. Scarcely had he taken his seat, "when a wave of unusual size, threw a heavy solid volume "of water over him, which washed your father from his seat, "and was taking him sliding down the rock on his back to the "gulph below, when by clutching a handful of seaweed, his "course was arrested and he was saved. Sorely wounded he "scrambled out of danger, and having put on his dressing gown, "he reached home, but covered with blood. He was confined "to his bed, but rose a different man."

All these circumstances as related by his Lordship, were true: but they were not the means of my conversion, inasmuch as I knew the Lord, previous to this; for at the very moment when the big wave struck me, my whole mind was fixed solely on Jesus, and my thoughts never moved from Him during the few seconds that I felt my life was in such imminent danger; after this my mind had become so fixed upon the Lord, that many who knew me, looked upon my escape and the effects of it, to have been the means of my conversion. No,—this took place at an evening party in my own house, at Cuddapah, when the 3rd chapter of St. John's Gospel was discussed, two years previously to the above. Lord Congleton holds to the Tinnivelly views, (as they are called), which are these,—that *Conversion* may take place in the same individual on many occasions, but *Regeneration* only once: his Lordship was consequently right so far.

Early in life I was called upon to give judgment in important

matters; I had therefore made evidence my study, and very satisfied I soon became, from a careful examination of the 3rd chapter of St. John's Gospel, that, "Except a man be born again, he cannot see the kingdom of God."

CHAPTER III.

Leave of absence to England—Becomes acquainted with Lord William Bentinck and party through Lady Olivia Sparrow—the Abbé du Bois' "Thirty Years' Work in India"—Father Ripa's long sojourn in China—the Rev. James Hough's Reply to the Abbé—Suttecism—Infanticide—account of the last attempt at a Suttee in the ceded districts, given to Lord William Bentinck previous to his sailing from Plymouth—the Rev. J. Fenn's labours among the Black Jews at Cotium.

Having been for upwards of ten years employed in various situations, during which time my attention was much drawn towards the education of the rising generation of natives, I was permitted to return to England on a three years' furlough.

On landing at Plymouth, in 1827, I found H.M.S. Northumberland, Hon. Capt. Clifford, waiting to take Lord William Bentinck and Staff out as Governor-General of India. It was my good fortune to have been introduced to Lord William by his sister-in-law, Lady Olivia Sparrow, a lady well known throughout the religious world. This introduction I had good reason to be thankful for all the days of my life.

It is here necessary to go back into the previous year, and to state, that when the Rev. J. Hough, and the Rev. J. Fenn were returning home from Cotium on the Malabar Coast, where among the black Jews they had long laboured as Missionaries, they became guests for some weeks at my house at Tillicherry, as has already been stated. The Abbé du Bois' work on Indian

Missions had just come out, and had caused no small stir. The work received an attention which it did not deserve. The subject it treated of was the conversion of the heathen to Christianity. This was a subject very much discussed by many some time previous to the Indian Mutiny. In the Abbé's work (after his having, as he was pleased to say, laboured for 30 years in India among all classes of its inhabitants), he declared he had never succeeded in making one convert; nay, the Abbé asserts that the natives became much more wicked after having been taught; he maintains throughout his pamphlet that it is impossible to convert a heathen to Christianity, and useless, nay erroneous to make the trial. The Abbé states that he never allowed the Bible to be read. He did much injury by his foolish, false statements.

The reader will be struck with a certain resemblance between the Abbé du Bois' labours as a missionary in India, and another Jesuit missionary named Ripa, who long laboured at the court of Pekin, in the service of the Emperor of China. Father Ripa tells us that he succeeded in making one convert in China, which is more than the Abbé du Bois can say of his labours in India. Ripa says he brought this convert to Europe, but he adds that the man turned out an "utter reprobate." After taking Priest's orders he "was detected stealing nine shirts, five tunics, and six pairs of shoes," besides "forging a certificate of priesthood, which he pretended he had received from the Archbishop of Naples." Father Ripa made sad lamentations on account of the expense and trouble he had been at in taking this worthy to worship the blood of St. Jenesarius; he states it was all to no purpose. So that neither of the two Jesuits had much to boast of. Such men as Du Bois and Ripa certainly have a zeal, but not according to knowledge.

The Rev. J. Hough's reply to this work of the Abbé's was at this time written; I perused it with much pleasurewhen it was in manuscript and gave it my full approval.

I was informed by the Lady Olivia Sparrow that her sister, Lady William Bentinck, had imbibed all the Abbé's pernicious opinions from having become acquainted with him in Paris, and having read his work, Lady Olivia Sparrow added that she was most anxions to eradicate the impressions her sister had received previous to her departure to India. In consequence of this, at Lady Olivia's house in Durnford Street, the subject of the conversion of the heathen was on many occasions discussed by her brother, Lord Gosford, Sir Harry Verney, the Rev. John Hawker, and the Reverend J. Hatchard, of St. Andrew's, Plymouth, and others. The Abbé's pamphlet, "Thirty Years' experience in India," and the Rev. J. Hough's work in reply were also read at that time, and taken out to India by Lady W. Bentinck.

No Governor-General ever showed so great a desire to educate and convert the heathen as did Lord William Bentinck throughout his six years' governorship. Previous to Lord William's departure there was much said regarding framing an Act of Parliament to put a stop to suttee and infanticide (throwing new-born children into the Ganges). This Act was under the care of Lord Gosford. I had several opportunities of expressing my disapprobation of any Act for this purpose, giving it as my opinion that a simple order from the Governor-General, expressing his Lordship's disapprobation of these barbarous customs, was amply sufficient, and would accomplish all that the Act was intended to do. I gave the following account of the last attempt at a suttee I had seen in the ceded districts.

In 1821, a woman, accompanied by her friends, appeared before me in court and petitioned for an order to be permitted to perform the suttee, that is, to be permitted to burn herself; this was in accordance with an Act of Parliament, passed in 1816, and was considered by the natives tantamount to an order to burn—which it was not. I granted her the desired permission, but at the same time the head of the police was cautioned not to meddle with the affair in any way whatever. In consequence, as there was no funeral pile prepared by the police, and no assistant Magistrate, or Collector, or Missionary to run and see the "tomasha," as it was called, there was no suttee. That woman, to my knowledge, never succeeded in burning herself. "Master's pleasure," in those days went a great way. It was satisfactory, some time after to find, that this suggestion had been adopted, and had completely succeeded without any Act of Parliament.

At the end of six weeks' detention by contrary winds, the "Northumberland" sailed. On taking leave, his Lordship was pleased to express a hope, that "we should meet again in the East." *We did meet under circumstances the most painful to me during a long eventful life.*

CHAPTER IV.

Sailed for India in the Lady Holland, in company with Dr. Duff, Sir H. Durand, and a large party (fourteen ladies)—Instructions how to act in case of being attacked by Pirates—Meet with Pirates—Wrecked on Dasson Island, not a life lost, but total loss of all else—Cast upon a desert Island—Four days sojourn there—Taken off the Island by the "Falcon," Captain Colpoys, and landed at the Cape in a deplorable condition—Chartered a ship to take a party of seven ladies and seven gentlemen to India.

I made an attempt to return to India in the following year in the "Lady Holland," we had twenty-eight passengers—Dr. and Mrs. Duff, Sir Henry Durand, other gentlemen, and fourteen ladies.

We were escorted by the "Northumberland" across the line, in consequence of that part of the sea being infested with pirates. Previous to leaving us, the Captain of the "Northumberland" gave us instructions how to act in case we were boarded. If any danger approached we were to man the tops, taking up as many empty bottles as we could procure, and immediately upon the pirates boarding, to dash these empty bottles down upon the deck and into their canoes; the pirates being barefooted, could not move a step on the broken glass.

We parted with regret from the "Northumberland," the captain whom we had known well in the previous year, when taking out Lord William Bentinck, was a great favourite.

In the first calm we had after the "Northumberland" had left us, we were approached by a suspicious-looking craft, rowed by a swarm of naked black men. Every preparation was made to receive them; the ladies were placed in the hold, and the bottles—which had been hoarded for the purpose—were all in readiness; but a breeze springing up released us from our wild looking visitors, which pleased the ladies much. I never apprehended much danger, for, had they boarded us, the empty bottles dashed into their canoe and over the decks would very soon have made every barefooted pirate a prisoner. But what should we have done with such prisoners? The ladies might call out, "Throw them overboard, but flog them first!" I do not think we should have been justified in so treating even these savages, for it is not an easy thing to treat a human being as a cook treats a lobster or a crab.

This affair over, how true the saying, "Misfortunes never come alone," for not many days after this, when reading to a party in the after-cabin about 10 o'clock at night, an account of the burning of the "Kent," East Indiaman, we were surprised to hear the Captain call out in an unusually loud voice, "Helm hard down," and immediately after hearing this the ship, which was running several knots an hour, struck with a fearful crash on a rock. Everything was upset; every bit of glass was scattered and broken. The ship rolled fearfully, being impaled upon the rock on which she had struck. It was suggested to cut away the masts; the Captain objected, as he did to everything proposed, and went and hid himself amongst the hen-coops, entirely giving up all management. Captain Storey and the carpenter assisted in cutting with a saw the main shrouds, when the mainmast came down on the deck, dragging the mizen rigging with it. The ship then rested more

easily, fixed upon the rock, and all hands went to work to launch the long-boat. I well knew that this boat would not float a quarter of an hour, her seams were all open. This fact I had become acquainted with during sundry visits paid to the boat, where in one corner I had a litter of greyhound pups. We immediately set to work, obtained some tallow candles, which we knocked into the open seams by means of bottles. But how was the boat to be lifted over the bulk-heads into the sea, the masts being gone? It so happened that we carried two guns; these we turned round, and loaded nearly up to the muzzle with powder only, having first lashed them to the bulk-heads. The butcher fired them with a red-hot poker, and, being fired, they tore the bulk-heads away, which with the guns rolled over into the sea, leaving the deck clear for the long-boat. The boat was then easily launched, but in the hurry we forgot to put in a rope to attach it, and in consequence, when pushed overboard, it went several yards from the ship, and as this distance appeared to be increasing, despair seized upon many. Dr. Duff, summoned all to prayers in the cuddy. ' I did not go, and with me remained the boatswain, the carpenter, the butcher, and two sailors. We went to the poop, where the long deep sea line was laying, having just been used; the thought then struck us to launch the Captain's gig, which we allowed to take a precipitate run into the sea. The boatswain and I managed to get two sailors into the gig, and after not a little trouble the deep sea line was put in also, one end of which I bound round my right wrist. The gig pulled for the long boat, which the line was just long enough to reach. The sailors in the gig fastened it to the long boat, and on seeing this accomplished we gave a cheer, which brought out of the cuddy all that were in it, to dry their tears and put a smile upon their faces. The moon had come out

bright, and we were able to perceive low rocky land, against which the sea was breaking; the rocks were covered with disturbed screaming penguins.

To work every hand now went; not a murmur, not the smallest symptoms of disobedience from any of the sailors; the manner in which the big boat had been put into the sea, and afterwards preserved, had with them done wonders.

The gig was manned and despatched to find a good place for the long boat to land at. In the meantime the long boat was brought round, and placed below the larboard davits; this boat in spite of the tallow candles, was very leaky, and required constant baling, which was done with a set of tin dish-covers. Into this boat the fourteen ladies were put, by being lowered with a rope round their waists—rough work—but it was our best, despatch being our chief object, for we knew not how long the wreck might hold together.

The gig returned, with the report that the only place to land at was on the other side. Having got the boat full we started, and after about two hours' work, constantly baling with the tin dish covers, the ladies assisting, hard rowing, and being towed by the gig, we grounded near the land, and were all at last got on shore. After this there were certain questions asked, such as, "Where's my good husband?"—and, "Where's the carpet bag?" The first is answered, "sound asleep on the wet sand," the second, "left behind in the boat."

When daylight appeared, we found each other in a sad plight, nevertheless to work we again all went. A whale had many years previously been cast upon the shore, near where we landed; the ribs lay scattered about, whilst we were erecting them into

position to form a kind of tent shelter, the long boat had returned to the wreck, and soon came back with many things, amongst others, with large sails to cover these whale ribs. Two of these abodes were erected before nightfall, one for the ladies, another for the gentlemen. The sun was during the day oppressively hot, even below this thick canvas, and the nights were piercingly cold. The mother of the greyhound pups had saved herself, and to our great comfort caught many rabbits. These were curried in a large iron pot, with curry powder saved from the wreck; this with rice and penguin's eggs, was the chief food we had during the four days we were on the island, which was Dasson Island, in Saldanah Bay, about two miles long and one broad, forty miles from the Cape, and uninhabited, except by rabbits and penguins.

Volunteers came forward to carry a message to the Cape of Good Hope; this was done by sending the gig to the nearest shore, where a Boer lent a waggon to the Cape. Sir Lowry Cole, despatched the Falcon, and on the fourth day we were landed at the Cape. There we had a day's thanksgiving, for all God's mercies—not a death! We arrived in great distress, but, met on every hand, unparelleled kindness. I will only mention one instance; a gentleman introduced himself to me in the streets of Cape Town, and requested to know if all the stories were correct that were in circulation regarding the attention paid by certain sailors to my family from the hour the ship struck till landing at the Cape; regarding their bringing off from the wreck, a large family Bible, and many other necessary things out of the cabin. I told him it was all true, and I added things which he had not heard. Putting his hand in his pocket he drew out twenty guineas, and requested me to lay them out on their account. I did so, and gave to each man an excellent

suit of clothes, and a little money; I added a certificate. The "Cæsar" came into port a few days after, short of hands, and gave them all good berths.

I chartered a ship of 700 tons to Madras, the "William Glen Anderson," and selected seven ladies and seven gentlemen as passengers, we had a prosperous voyage, and one more resembling a yachting pleasure party, has seldom been experienced.

PART SECOND.

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CHAPTER I.

Appointment to the Provincial Court, Southern division—Painful differences between Superior Judges and Juniors—Charges made against the First Judge (Mr. G. G.) by the Judge of Salem—My suspension—Placed on out-of-employ allowances—Sir Frederick Adam and the "New Lights"—Hindoo Temple—Zenana Mission Work—Lord Lawrence's Map—Decision of Commissioners against Mr. G. G.—Tragic death of that gentleman—Restoration of the Judge of Salem, and his death.

After an eight months' voyage, I landed at Madras, and was employed in establishing an auxiliary Civil and Criminal Court at Fort St. David's, Cuddalore, where first the late East India Company had a factory in India.

I shall here give some account of a few of the painful differences which took place at this time between the twelve Judges of the Provincial Courts of Appeal and Circuit, and the more numerous juniors in the service, the Zillah Judges, which finally led to a great reform, most advantageous to the public, and in a pecuniary sense, profitable to the State, but which was a serious injury to the Service; namely the abolition of the 12

best paid Judgeships in the Court of Appeal and Circuit, whose annual salaries amounted to 455,400 rupees. My narrative may probably interest some, be instructive to others, and at the same time throw light over circumstances which were most painful to many who had severely suffered in the position in which they were employed at that time.

The Court of Directors did not show any desire for the reform nor would it probably ever have taken place if it had not come under the eye of a Stanley.

I shall not give here a detailed account of my grievances; they are enumerated in a printed pamphlet, which contains, with the Petition to the House of Commons, documents substantiating the statements, to the *truth* of which I have borne testimony upon oath. I shall say, simply, that my complaints are not founded upon a *single* act of injustice, for which redress might have been forthwith demanded. They arise from a series of acts of injustice following one another in quick succession, and from a concatenation of events extending over *a few years only*.

> "One woe doth tread upon another's heels,
> so fast they follow."

The following outline of that which I have had to endure will be, I think, sufficient to show that all has not been always right in the administration of affairs in India.

I was appointed in October 1832 to act as Judge of the Provincial Court of Appeal for eighteen months, in the absence of the Judge, Mr. Cotton. On taking up my seat, I was equally grieved and surprised to discover that there was a matter before the Court of a peculiarly painful nature. Very serious charges

had been sent in against the first Judge, Mr. G. G., by the Zillah Judge of Salem, Mr. Edward Bannerman. For making these charges against his superior, the Zillah Judge was suspended the service, without any investigation into the truth of his statements having been made. From the various facts that came to my knowledge, I was impressed with the conviction that measures had been taken at head-quarters to stifle all enquiry. I therefore considered the suspension of Mr. Edward Bannerman to be at the least premature; I did not conceal my opinion, although I was aware that Mr. G. G. had a friend at head-quarters, in the person of the Chief Secretary, Mr. H. Chamier, who was also his partner on the turf. I was ordered on circuit, but immediately after opening the sessions, I was appointed to an inferior Judgeship in another division, and ordered to join "forthwith," although the appointment at the time was not vacant. No reason was assigned for my extraordinary removal, not a word of explanation was addressed to me; I was placed on out-of-employ allowance, and Mr. W. Harrington, my junior in point of service, to my surprise, was appointed to the situation from which I had been removed. Mr. G. G. was at Madras at the time, attending the races, and I could well understand, that by representing to Sir Frederick Adam the interest I took in Mr. Renius and the Tinnevelly Missions, he could induce the Governor to deem it a very small matter to upset the business of a circuit, and by changing the Judge, to bring all matters for a while to a stand still. Sir F. Adam felt strongly on some subjects: he had a deeply-rooted aversion to what he termed "New Lights," especially those which had their source in Mission work. I was at first inclined to believe that the Governor, who had only just landed, had made a mistake with respect to me, in rescinding the appoint-

ment of his predecessor, the Hon. S. R. Lushington. I soon found that it was not so, for I was placed on-out-of-employ allowances till such a time as a vacancy should occur at Chittoor.

The object of Mr. G. G. was to get me removed from the Southern Division in which Tinnevelly was situated. The Chief Secretary, understanding that my judgment was likely to be adverse to his friend's cause, lent his influence to obtain this removal, and to the surprise of all, succeeded.

Rumour assigned a different reason for this above-mentioned strange act of Sir Frederick Adam, in removing me from the Upper Court, and as the subject is commented upon in a letter on the Indian Zenana question, addressed some years ago to the Editor of the *Christian Standard*, which was subsequently published by the "Tract Society" as a a leaflet, and as it particularly relates to India, and attracted the attention of the late Lord Lawrence, I shall insert here, two short extracts from that letter:—

"At this time one of the twelve Provincial Court Judges "on the Madras establishment after furnishing the report called "for on slavery, ventured to point out to the Local Government "a system of slavery which appeared objectionable, viz:—the "employment of men to traverse the country on a fixed "salary, paid by the State, for the express purpose of purchasing "the best favoured young women they could obtain, between "the ages of ten and fifteen, for the Hindoo temples, and trans- "porting them in Hackery's (covered carts) to the various "temples, where they remained during the rest of their short "lives." * * * "The ink was scarcely dry on this report, "when its author, although on circuit at the time, was most

"irregularly removed from office, without any reason being "given to him,—a most severe punishment. It must, however, "be admitted, that a rule had been violated;—that rule was "that the religious privileges, rites and observances of the "natives were never to be interfered with; and it is evident that "this report was a severe blow, struck at the very root of "Hindooism; for the Zenana of the Hindoo temple is as much "at the root of Hindooism, as Convents are at the root of "Popery, or the Confessional at the root of Ritualism; it there- "fore appeared to be a duty to bring this to the attention of "Government. Suspension from office on this occasion was a "very small punishment compared with what followed."

The closing paragraph of this letter is as follows:—

"There ought not to exist any present dread of another "mutiny; for history shows us that Christianity had in no "way caused the late mutiny. If we take a map of Hindostan "and mark every station where Christianity had been introduced "by Missionary labours, with blue ink; then return, and mark "with red ink where blood was shed during the late mutiny, we "shall be surprised at the result. It will be seen that it is not "Christianity, but the want of it that we have to dread."

Among the papers of the late Lord Lawrence, may very probably be found, a map showing as here described, but with this improvement; that his Lordship had by adding a third ink mark made a considerable addition, indicating the number of native troops at the various stations in 1857, the year that the mutiny was at its height. This map shows, that at the stations where there were no troops, but where the Missions had been working, there was no bloodshed, and *vice versa* This may be instanced in the contrast between Tinnevelly and the upper

provinces of Bengal: in the former there was no bloodshed, no disturbance; while in the latter, possessing the greatest number of Mussulman troops, and few or no Missionaries, the greatest massacres took place. Every portion of the Great Peninsula will bear a similar comparison, and supply a like proof.

It appeared that I had most unintentionally offended the Governor, Sir F. Adam, by complaining of the injury my character had sustained, by my suspension without one word of explanation; and more so, by my being superseded by Mr. William Harrington, a servant who had not been so long in the country as myself.

Whilst matters stood thus the Home Government issued orders for a commission to investigate the charges, which had been preferred against Mr. G. G. by Mr. E. Bannerman. The commission sat at Salem, and concluded their investigation in a very short time, deciding against Mr. G. G. On the evening, on which they communicated the result of their enquiry, that gentleman left Salem, in his palanquin, and was brought back in the course of the night, dead. He was buried on the following morning, no coroner's inquest was held, which there certainly ought to have been, all was hushed up, as usual, at that time in this part of India.

Mr. Edward Bannerman was restored to his Judgeship, but before he took his seat on the bench he also died, sinking under the trials he had undergone, for a more unjust punishment than that to which he had been subjected had never been inflicted on any public servant. Previous to his death he published two short pamphlets, in which he charged the Secretariat with having tampered with the records; but again no enquiry was made.

It is probable that in relating particular facts connected with this first case that I have not sufficiently entered into all the necessary detail. I must state that I do not feel authorized to enter more minutely into the particulars referred to: I was not in the Southern Court when the Commissioner's report was received. The whole of this matter, connected with Mr. Bannerman's case, was deemed of so little importance when I first made my appeal to Government to Sir Charles Wood, that it was not considered worthy of being mentioned. I shall now when treating upon many equally unjust, and equally severe punishments inflicted upon myself, just previous to the abolition of the aforesaid Courts, enter into particulars, and relate facts not heard before.

CHAPTER II.

Difficulties at Chittoor—Incompetency of official servants—Their dismissal—Their conspiracy against me—More annoyance from the absence of the Judges—A Criminal Court—Difficulty in securing witnesses—A Chittoor "bona fide" certificate!—"Official" knowledge—An April 1st story.

In January 1833, on entering upon my duties as Zillah Judge at Chittoor, I very soon discovered that I had several heavy difficulties to encounter; difficulties which might well be said to have "no parallel on the records of the Government." Not the least of these difficulties was the total unfitness of many of the ministerial servants of the Zillah Court for office: another was the serious inconvenience occasioned by the absence of the Session Judges,' and the Magistrate from Chittoor, the head station.

I soon discovered, and was subsequently able to prove by the results, that the organization of the Courts at Chittoor was defective, and the administration of justice most corrupt and imperfect, which was my first difficulty.

The late Zillah Judge, who had held the appointment for many years, had married a Musselmanee woman out of the Chittoor Bazaar, and had placed the chief offices in his court in the hands of her near relatives, who were at a later period reported by higher authority, after much labour and expense, to be men "totally incompetent for any office under Government." Under

a sense of duty I attempted a reform, but this, like most attempts to effect salutary reform, was resented by those whose interests were threatened, and I was accused of impugning the rectitude of my superiors. I deemed it, nevertheless, to be my duty to remove out of office, the father of the late Judge's widow, he was head Persian Moonshee (writer) and his son, her brother, who was Nazir (sheriff) with two others. They appealed direct to the Governor in Council, Government referred their petition to the *Acting* Judges in the Provincial Court. The latter gave judgment against the petitioners, and showed ample grounds of their incompetency, adding a high encomium on my labours, especially in removing such servants. This report went through the Suddr, up to Government. In the Sudâr Court, the first Judge of the Chittoor Provincial Court, Mr. T. A. Oakes, was then officiating as Acting first Judge, and in the Suddr this report met with an adverse judgment. The opinion given by *Acting* Provincial Judges, was attributed to private friendship. and the Governor in Council, it is to be regretted, concurred with the Suddr Judges, and rescinded the verdict of the *Acting* Provincial Judges, ordering a fresh commission of three Civil servants, to call up the appellants and carefully to examine them; at the same time, Government cautioned the newly appointed commissioners (the same three gentlemen who were at that time waiting till they could agree on some report to Government on Mr. West's sale case) "to be careful and not allow private friendship to bias their judgments on public matters," as was stated to have been the case with the *Acting* Provincial Court Judges.

I cannot believe, that either the Suddr or Government ever read the *Acting* Judges proceedings; if they had, they would

have seen therein stated, that these four servants had not one certificate of good conduct among them.

The receipt of these instructions from Government, caused a great and sudden change in the conduct of these commissioners, which change caused certain wild conjectures to be floated abroad at Arcot, Vellore, and Arnee, conjectures as to what had been newly discovered by these commissioners to have been done by me, to have caused such a total change in their whole conduct, and this, several days after all their proceedings had closed.

The commissioners after due consideration of the matter regarding these petitioners, came to the same opinion as the *Acting* Provincial Court Judges, and the four servants were once more and finally dismissed.

It was after the first dismissal of these servants, that they all four joined Mr. C. P. Brown, who had been acting Judge in my absence, and was afterwards declared a "delinquent" for having taken money irregularly out of the Chittoor Treasury; and on the same date as that of their dismissal, they complained jointly to the Registrar, Mr. Cator, against me, in the matter of Mr. West's sale, and here was the origin of that affair, and what caused the commission to sit.

The great error committed throughout the whole of this transaction, was that these servants met with undue encouragement and support, first from a Member of the Council, the Honourable Mr. C. H., and then from the Acting first Judge of the Suddr, Mr. T. A. Oakes. The West's sale affair, concluded with two years unjust suspension from office to me, my name being branded in the *Fort St. George Gazette*, and a fine, in salary alone of £5,000.

The next great annoyance was the injury done to the public, by the Provincial Judges and the Collector and Magistrate, having their chief residence at Pullmanair on the Ghaut, at the extreme end of the district, which caused great arrears of business, and much additional expense to the State. *This difficulty appeared to me to cause a very serious hindrance to the administration of justice, and most injurious to all parties concerned.* A Criminal Court is a blessing to a country, just in proportion to the manner in which the business is conducted, and this applies especially to India. It would require a long explanation to show even a tithe of the evil, resulting from the delay occasioned by the residence of the Session Judge at Pullmanair, and his only visiting Chittoor when enough duty had accumulated to occupy him for several days at a time. This is self evident, and can be better imagined than described. Take a common ordinary case. A Riots' (cultivator) house has been plundered, the thieves have been caught, and the Riot is taken with them to Court: the case is examined by the Criminal Judge, and the prisoners are committed for trial to the Court of Circuit. If the Session Judge is present, where he ought to be, the case is disposed of probably in a few hours, and all the parties directed to return to their village, whereon rain is falling. But if no Session Judge is at the Session Court Station, the Riot and party have to wait till the Judge returns, when the Riots' case is disposed of, and he returns to his village; but the rain has ceased to fall, the cultivator has missed the opportunity of cultivating his land, his bullocks and plough in consequence are sold to pay his rent, and the poor Riot is henceforth a Coolie.

During all this time those in attendance were forced to remain, and had to be paid "batta," or maintenance. It was

much more difficult to secure the attendance of the evidence than the prisoners, before such a Session Court. Much of the heavy arrears, and expense to the State, was caused by the witnesses absconding; it was often found necessary to secure their attendance by very unpleasant means, even to placing them in chains.

At this time there were two houses for sale at Pullmanair. Mr. T. A. Oakes, the first Judge, had agreed to vacate his appointment in the Provincial Court on a fixed day, in favour of Mr. T. G., the acting first Judge, if this gentleman paid the sum of thirty thousand rupees for his (Mr. Oakes') house, which sum was about three times its value. The sudden death of Mr. T. G. put a stop to this negociation. The second house for sale at Pullmanair was that of the collector and magistrate, Mr. Chas. Roberts. This gentleman was more fortunate, for shortly after this he was able to complete a similarly good bargain, selling his house under like circumstances to the acting collector and magistrate, my brother-in-law, Mr. G. M. Ogilvie. These two gentlemen, that is, Mr. T. A. Oakes, the first Judge of the Suddr, and Mr. Chas. Roberts, the collector and magistrate, have been shown to have united to effect my removal from the District, because of the opposition I made to their residence at Pullmanair, and in this they succeeded on two occasions.

This unsatisfactory state of affairs continued till 1839, when the Suddr Court sent up to Government the regular criminal reports, which showed a very heavy arrear of business on hand, and extra expense to the State in consequence of these arrears.

In this report I was accused of having neglected my duty, and thus having caused this state of affairs. This induced the Government severely to reprimand me previous to any demand

for explanation from me—which was irregular. In reply, and in *self defence*, I gave full explanation, and consequently *was forced* to charge the absence of the Session Judges from their duty at Chittoor, as *the true cause* of the delay and expense; and I offered proof of the same. This statement of mine was declared to be false by the Provincial Court Judges. The Suddr Court in consequence, directed me to apologise for having accused my superiors.

Let it here be remembered, that the acting first Judge of the Suddr Court, Mr. T. A. Oakes, the gentleman who called upon me for this apology, was one of the Provincial Court Judges, who had been for half the two previous years absent. This apology I refused to give, and appealed to Government.

The Provincial Court, through the Suddr Court, kept back my appeal, but immediately forwarded a certificate signed by the Register, Mr. Brett, in which it was declared that he, the Register, had no "*official*" intimation of the absence of the Judges; and, therefore, that they must have been present, when I had stated that they were absent. This certificate was forwarded to Government, and I was again removed from Chittoor, without a day's delay, and *without any reason or explanation being assigned for this removal at the time.*

The Register, Mr. H. Brett, upon seeing the mischief this certificate had done, officially addressed the Provincial Judges, under date the 28th of March, withdrawing his name from the certificate, stating that he had been deceived by the Provincial Judge, Mr. Casamajor, who had drafted the certificate. He certainly had no "*official*" intimation of the absence of the Judges, but he knew, as all the Members of the Court knew, that the Judges *had been absent*, as stated by me;

and the only "*official*" knowledge of their presence, which he the Register, possessed, was, that their names were entered as present in the Court's proceedings.

The Judges paid no attention to this communication of their Register; and he, in consequence, addressed the Governor in Council, date April 1st, and gave full explanation of the whole affair, declaring that the Judges *had been absent.*

The fact was, that the Session Judges had been absent from duty more than one half of the years 1837 and 1838, and three months of 1839, as proved in the public diary. The Register, Mr. Brett, received no reply to these letters, but shortly after writing them, was appointed and gazetted to Bellary, an inferior post, farther up the country, on reduced pay,—but this harsh and unjust punishment was not carried out,—a kind friend interfered. Lord Elphinstone could never have done such an act.

It was my duty to explain everything which had passed, for the information of Government: this I most fully did; but the explanation was not forwarded to Government, but had been detained by the Provincial Court for twenty-one days after my punishment had been inflicted, and was then returned to me with the false excuse for its not having been forwarded, namely, that the Provincial Court was not the proper channel of address to Government.

The proceedings in this case were made up for the information of the Directors in London, by the Local Secretariat, so as to show that Honourable Company, that the Provincial Court Judges had never been absent from their duty. In consequence of this, the honourable Court most severely reprimanded me for having, as the Court stated, "pertinaciously "persisted," in the "very face" of the Provincial Courts' "bonâ

fide certificate," and the report of the Suddr Udawlut, and also the Local Government's statement, in maintaining that the Judges had been absent from their duty.

I had requested the Government to send up to the Court of Directors, with my Memorial, the Register's two letters, but they had not done so. This caused my being so severely reprimanded.

It, no doubt, will be asked,—what was the result of the enquiries into the cause why these two letters of Mr. Brett's were neither placed before the Governor, Lord Elphinstone, nor forwarded, as requested, to the Court of Directors? These two letters were unquestionably, for me, most important portions of the record of the case.

This enquiry is a matter which would not be likely to come to light. I never heard but one account, and this one I could place little or no dependance upon; but as the account is given in a letter that has been printed, and as it may be considered worth reading, I shall here insert it; the detailed particulars are strictly correct: take it at what it is worth:—

"You shall have the gossip of the day; it will amuse you if "you have not heard it, for you well remember the characters. "Riding out one evening, Charley W. comes up to a young brother "Civ. employed in the Secretary's office, when the following "conversation takes place:—C. W.—"Well, old fellow, so I "hear the youngsters at Chittoor have been again hoaxing your "Chief, Master Sham." Young Civ.—"Oh, yes! we heard all about "it. You mean that stupid nonsense of Charley Oakes before "old Greme; about the Goose, the Monkey, and the Spaniel.' "Charley W.—"Wrong again, old fellow, that is an old story; "this was the other day affair, when they made an April fool of "your Master."

"This story went about, many enquiring in hopes of its turning "up as laughable an affair as the Goose, the Monkey and Flora, "and of course it came to the Chief Secretary's ears; whereupon, "it was stated, he examined the Register's letter to Government "on the subject of the absence of the Judges, and finding it to "be dated "April 1st," and a very long story, when two lines "would have answered the purpose, he threw it into his waste-"paper basket, and said nothing about it at the time; "but, when enquiry was made regarding it, this story was "given as the cause of its non-production, and is "all right" "in the eyes of the Governor, but "all wrong" in those of "every other person who had heard the story."

CHAPTER III.

Mr. Greme and Mr. C. E. Oakes—"Master Sham," the Monkey—The white Goose and Flora—Provincial Judges prohibited from being absent—The state of society at Chittoor—Thugghey Courts—A bag of bones.

It is by no means improbable that some of my very numerous great grandchildren, and I have a lot of them, may wish to hear the story about the Goose, the Monkey, and Flora the spaniel.

Now, as regards this story which I shall give them, I vouch for its being strictly true, which is more than I can say of the 1st April affair given above. I can, however, say that *Mr. Bannerman's* extracted deed, which he complained of as being missing, was not dated the 1st of April.

Two or three days after my suspension on the 8th Jannary, 1834, Mr. Greme, a well known and greatly respected member of the Civil Service, having been a member of Council, and for some time Governor of Madras, passed through Chittoor *en route* to Bangalore. On the day of halting Mr. Greme tiffed with Mr. C. E. Oakes, and a party. The subject of the Commission on West's sale, was much canvassed; I had frequently met Mr. Greme, he was very inquisitive on this subject, the more so as he could get no one to give him satisfactory answers to his most simple questions.

Mr. Greme had the Secretary to the Commission at table, the Honourable W. H. Tracey, and to that gentleman he put several

questions, and then said: "the Government must retrace its "steps, for there is something evidently not right." This was related to me an hour after it had taken place by Mr. Tracey.

Now for the Monkey, Goose and Spaniel story. As soon as tiffin was over, Mr. Greme was asked by Mr. C. E. Oakes if he had ever seen "a Jim." Mr. Greme replied, he "was not "aware that he ever had;" to which Mr. Oakes replied, "Then, "Sir, allow me to show you one." He then called to his butler to bring the chief secretary, "Master Sham," upon which a large monkey was introduced, soon followed by a large white goose. Mr. Oakes then asked Mr. Greme to follow him. Close at hand was a large pool of deep water, with steps leading into it. Having arrived at this piece of water, Mr. Oakes took a piece of cord, about three or four yards long, tied one end of the cord round the goose's two wings, the other end round the neck of the monkey; the goose was then set adrift on the water, and soon drew the monkey after it. Very soon the poor monkey, in self defence, attempted to get on the goose's back, when down dived the goose, dragging the monkey after it. Soon they both came up, looking much flabbergasted, but only to repeat the performance.

Presently Mr. Oakes gave a loud whistle, when a fresh actress made her appearance on the stage, in the person of a large red water spaniel, named Flora. This dog was directed to bring the two poor foolish looking animals out of trouble, which Flora immediately did by plunging in and dragging out Mr. Sham. Mr. Greme seeing what Mr. Oakes meant by a "Jim" turned away, not approving of a quiz so openly directed against the Chief Secretary and the Governor. I hope the account will

be more acceptable and amusing to my numerous great grandchildren.

The state of society at Chittoor was very unsatisfactory at this time, occasioned by a religious difference which existed. The point was a most important one, no less than the Everlasting Sonship of our Lord Jesus Christ; this gave rise to much painful controversy among the twenty-five Europeans, both male and female, at the station.

To such a height had this religious controversy arrived, that one of the Provincial Court Judges is found to have recorded the following opinion of his senior colleague on the Bench with him:—namely, that he was "a canting hypocrite, a pitiful "scoundrel, held in the lowest repute, and incapable of adhering "to the truth, in any relation verbal or written." No one was safe when obliged to work in such society. The Judge who gave this opinion of his colleagues, was, some years afterwards, removed out of the service.

Madras during the two late Governments had received throughout India the name of "the benighted," which that Presidency well deserved from its great inactivity; for a long time the only spark, or anything deserving of being called life, we stood indebted to the Jackals, for these noisy little animals had been busy at night, from the banks of the Narbudda to Cape Cormorin, in scratching up, and thus bringing to light, and the attention of the police, the bones of poor unfortunates who had been thugged, and buried in the beds of rivers, wherever there was much loose sand. This had grown to such a height as to create a great sensation both in the European and Native community.

It is possible that some of my readers may not know what

being Phasigaried, or Thugged means; it is, when walking with a friend, to have a noose thrown round the neck, and then pulled tight with a jerk thus taking away life, without being allowed time to utter one word. This for some years was very commonly practiced all over the Madras territory, and had greatly baffled our Local establishments and laws, in an attempt to put it down.

Cases were frequently committed for trial to the Court of Sessions, but being much more intricate than ordinary cases, it was easier for the Judges to acquit than to punish. This practice soon told among the sharp worshippers of the goddess "Kali," and the mischief increased, till it drew the attention of the Supreme Government, which at this time—after passing censure on the wrong quarter, the Madras police, instead of the Sessions Court—took the whole matter into their own hands, established their own Courts, appointed young military officers over them, and placed them in such positions as were judged advisable in various parts of the Madras Presidency. The Local authorities were not allowed in any way to interfere.

This state of affairs was most unsatisfactory; it was evident that it never could long work. A Thugghey Court was established near Chittoor, at Pullimanair, a pleasant society and station. The young gentleman in charge was seriously imposed upon, as might be shown. But it shall only be here stated that on one occasion a prisoner was sent in to be punished, together with a large bag of bones to be deposited, which had been dug up in different spots pointed out to the police by the approvers. A look at the prisoner and the bones, without seeing the record of the case—for that was not approved of—caused a strong suspicion to arise in my mind that all was not right. The bones looked

very old, much decayed, and very singular bones to have belonged to human beings. Each one had been carefully numbered and lettered, showing where and when found.

As the prisoner looked like anything except a Thugg, it occurred to me that it would be advisable to call upon the Zillah Surgeon, Dr. Simpson, for his opinion regarding these bones. This rather bold step was carried out, and the Zillah Surgeon reported that there was not a human bone in the whole lot, that they were the remains of dogs, monkeys, and other animals. This report induced me to bring the matter to the attention of the Suddr Foujdari Court, a still bolder step. I received in reply an order to forward to that Court the bones in question. I did so, and not long after the Bengal Thugghey establishment was removed, to my great satisfaction, and to that of the peaceably inclined native inhabitants. I received no thanks from Colonel Vallancey nor his many assistants.

Thuggheyism was a more successful trade in the Company's Provinces, than it was on the other side of the Narbuddah, the Nizam's territory; for there, a traveller, moving about at his pleasure without any occupation or means of livelihood, could immediately be called to account, and explanation demanded of how he became possessed of all property in his possession. Not so in the Company's districts.

The work "Confessions of a Thugg" appears to me—a great part of it at least—to have been written for the amusement of idle people. I have very strong doubts if these Confessions are genuine, and I am confident that they never were made, in the dressed-up state they appear in these three volumes.

PART THIRD.

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CHAPTER I.

Short history of two private servants of two Judges of the Suddr Foujdari Udawlut—their rapid rise to great eminence—Their tragic end—Civil action brought against a rich Zemindar, by one of these servants, in many respects a small Tichborne.

I MUST now solicit the reader's indulgence, and request that he will bear with me whilst I give the history of the public career of two natives, originally private servants, who it will be seen were most improperly raised by their masters to the highest Judicial appointments as Government servants. These two servants are entitled to have their names recorded in my reminiscences, since, as will be seen, they were the cause of nearly all of my numerous troubles. I shall show that both these servants met on many occasions most improperly, with support and protection from their masters, who were influential members of the Civil service, holding the highest Judicial appointments under Government; that both these native servants ran a very similar, short, disastrous career, and that after rising to the highest appointments attainable by a native,

that they both closed their lives most tragically under the heaviest punishments.

Many years have passed away since I grappled with these two unworthy public servants—since I met, and was overcome by their masters, acting in their official capacity; since I was subjected through their influence to a series of pains and penalties without parallel in the history of the Anglo-Indian service;—I have lived, however, to see these two bad men severely punished, and to hear their masters acknowledge the justice of the chastisement awarded them. If I now tell their misdeeds, it is that from them I simply seek to point a moral.

The history of the first of these two servants, Mutial Naick, I shall introduce by an account of a litigation, carried on in my Court between this man, whilst head servant of the Provincial Court, and a rich Zemindar, the Rajah of Calistry. This law-suit became as notorious in the Chittoor district, as Tichborne's case was in England, to which it bore a strong resemblance, ending in a somewhat similar, but more disastrous manner.

The second case will be found of a much more tragical nature than even the first. Both will, I trust, teach a lesson to future young members of the Civil Service, and prevent others in like manner placing themselves in the hands of clever intriguing Native servants to their own certain ruin.

Mutialoo was a Hindoo native of Madras, about 25 years of age, with many advantages both of person and education when taken into the service of the First Judge, Centre division, Mr. T. A. Oakes, as a waiting boy. He improved himself in English, wrote a good hand, and did not forget the vernaculars. He rose, during the short period of seven or eight years, through extraordinary difficulties, to the highest appointment attainable

in the Court of Appeal, and this in direct opposition to authority, and the orders of His Excellency the Governor in Council. He was first promoted to be the Judge's butler, then his dubash (steward), and was entrusted with his private business, such as the erection of his house at Pullmanair. In a short time this Mutialoo was given by his master, Mr. T. A. Oakes, the head English writership in the Provincial Court, on a salary of 70 rupees a month. Then it was considered necessary to promote him in caste; he was made a Naick, and his name was accordingly in future Mutial Naick.

At this time there went forth from the Chittoor Zillah Court an order to sell by public auction the village of Vinkatapoor, situated on the borders of the Chittoor district, and adjoining the property of the Rajah of Calistry.

This village was purchased by Mutial Naick; it was situated on the upper part of the bed of the Nattal tank. The said village was sold in the bill of sale, by the Nazir (Sheriff), Mohadeen, as containing an area of 2,710 goontahs of land. It so happened that this tank had burst some time previous to the sale, and was empty at that time, but it was soon after repaired, and consequently when full, the water overflowed its bed, which had been irregularly taken possession of, and cultivated by the villagers of Vinkatapoor.

This overflow ruined the cultivation in the bed of the said tank, which induced the purchaser of the village, that is, Mutial Naick, to prosecute in the Chittoor Zillah Court the Calistry Rajah, for the amount of damages done by the water, which were laid at 787 rupees.

The object in filing this suit in the Zillah Court was to obtain

a final decision, in case of Appeal, in the Provincial Court, to which Mutial Naick belonged. The original proceedings were all conducted in my Court, where every endeavour was made to obtain a decision in Mutial Naick's favour. After all the proceedings were closed, and when in the act of drafting a decree upon the case, I received by the hand of the plaintiff, Mutial Naick, a note from one of the Judges of the Upper Court, (not Mr. T. A. Oakes), requesting me to decide the case in favour of Mutial Naick. This caused me *immediately*, without giving any answer, to take up all the records of the case, and the note just received, and to walk into the office of the Register, the Honourable Wm. Hanbury Tracey, and to place them on his table, informing him that he should receive the necessary order to decide upon the case.

The Register passed a decision forthwith, dismissing Mutial Naick's claim, with all costs.

CHAPTER II.

Chocopah and Namasavoy Chitty—Kistniah and the letter—Mohaddeen, a "truthful" witness!—Mr. P. Cator's instructions regarding love letters—Intrigue of dismissed public servants—Mr. T. A. Oakes' judgment; its consequence and his regret—Final dismissal of servants by Government.

I DESIRE here to make a statement which will throw much light upon passing events of importance, events which took place just previous to the commissioners sending in their report to Government on West's sale case: a report which caused at the time and since on many occasions this question to be asked: What could have induced the Commissioners to come to such a conclusion on such evidence? I am partly able to explain this; and when I give the authority on which I found my explanation, and show facts which took place that bear me out, I fully expect my explanation will receive full credit.

The first conspirator in the sale case, Kistniah, the Sheristadar, dismissed by me, having failed with the others in his appeal to Government, went down to Madras to his old patrons and supporters, Chocopah and Namasavoy Chitty, the same native gentlemen who had at first recommended this Kistniah to Mr. Waters, late judge; the same Chocopah who induced Mr. C. P. Brown, in my absence, to restore this servant to the Sheristadarship, from which I had removed him. These two rich men who were the members of a native firm, better known

under the soubriquet of "Ham and Champagne," induced a member of council, the Honourable Mr. C. H., also to write to me, requesting me to replace Kistniah, as Sheristadar in my Court. Kistniah in consequence returned to Chittoor, just previous to the close of the West's commission, and being armed with this letter from a member of Council obtained a a private interview with me.

At this interview he delivered up to me the same documental proof which I forwarded to Government when called upon years afterwards to explain regarding the defalcation and plundering in the Chittoor Treasury. This document ought to have been given up long previously. I know not what Kistniah set forth to have taken place between us at this interview, but I do know that the two servants I had dismissed with him—not Mohadeen, the Nazir—were every morning, immediately afterwards, to be seen making their Omeedwar's salaam in regular attendance at my gate, in full expectation, *as I afterwards understood*, that they would both be restored to their situations, if they behaved themselves properly.

Two days after receiving Kistniah and this letter, when the Commissioners were about to close their proceedings—they had examined more than a dozen Europeans and Natives, who actually knew nothing—I was asked if I wished any one to be examined? My reply was "Of course I do," and I named the individuals in daily attendance at my gate, who had accused me to the Registrar, Mr. Cator, and who had been removed from office by me.

The commissioners refused to examine these persons, and gave as a reason for their refusal, that this letter which I had just received from the members of Council, having obtained

from me a promise of restoration to office for them on my being replaced as Judge; truth could not be expected under these circumstances from such witnesses, and therefore they declined to call them. An expression which dropped at this time from Mr. Roberts, first commissioner, caused me to address that gentleman for the last time, in warmer language than on calm reflection appeared judicious.

In the first place the statement was totally ill-founded and false; I had as my letters to the Governor, and memorial to the Court of Directors, fully prove, when answering this letter of the Honourable Mr. C. H.'s, stated how impossible it was to comply with his request, I then stated to the Commissioners, as calmly as I was able, that it was their duty to have called at the very commencement of their sittings, upon these persons for their evidence, and most especially upon the late Nazir Mohadeen, as he had been placed in charge of Mr. West's property, and had reported to the Registrar, Mr. Cator, dated 10th of May, that I had not sold some valuable part of it. This ought to have been done, I repeated, at the opening of the Commission, and not left till now; and that would have been long before this letter was written by Mr. C. H., to which allusion has already been made.

I was here interrupted by Mr. Roberts saying, "You know that this Nazir Mohadeen cannot be found, and therefore you talk thus." Before I could reply, the Secretary, the Honourable W. Hanbury Tracey, said, "Give me a warrant and I will forthwith produce this man."

A warrant was given, and on the following morning Mohadeen was produced by Mr. Tracey, before the Commission, looking the picture of a condemned criminal. This man denied that he ever

reported anything regarding any property not being sold by me, although he acknowledged his signature to the letter which clearly stated the fact. After being guilty of not a few more falsehoods, Mr. Ashton, Third Commissioner, put an end to his examination by making the following remark: "I think we have "had a sufficient number of lies from this man for one day." The examination was immediately stopped: the Commissioners did not like any part of the evidence here given, it upset some of their preconceived notions.

This Nazir Mohadeen was found concealed in Mutial Naick's house, where he had been hidden from the first sitting of the Commissioners: that party well knew and could clearly see, that if ever Mohadeen came before the Commissioners, he would break down, not because he was a poor ignorant man, for this he was not, as he had held the responsible situation of Nazir for many years in that Court; but because they knew he had been made a tool of by the opposite party, the delinquent, and the three other conspirators: and here he was caught in a trap from which it was impossible to extricate him.

If the reader will bear with me, I will explain the position in which this tool was placed; a position from which, I repeat it, it was impossible to extricate him.

I had received a request from the Registrar, Mr. Cator, to destroy some letters which a lady had written to the late Mr. West, to whom she had been engaged. These letters, he informed me, I should find among his effects. I took two servants with me to assist in this work. We went to the house where the property was deposited; it was then under the charge of this tool, the Nazir Mohadeen. Having collected these letters we placed them in a box, and sent them by a peon to my house,

deeming an examination of the same necessary previous to destruction. They were all destroyed and the empty box returned. This tool, the Nazir, in the meantime, had been dismissed by me. When Mr. C. P. Brown came to act in my place, he replaced him as a Nazir during my absence. I removed this man again, and he then joined the three other dismissed servants in an appeal to Government against me, and finding friends in the First Judge, Mr. T. A. Oakes, and his confidential servant, Mutial Naick, they all joined the delinquent Mr. C. P. Brown, and jointly prepared the letter of the 10th of May, getting this tool to sign it, because he was the person who had charge of the property; and in this letter I was accused of "not having "sold a box and some jewels." When this accusation came up to me from the Registrar Mr. Cator, all the servants well knew that the Nazir's letter was false, when he reported, first to Mr. C. P. Brown and then to Mr. Cator, that I had "not sold jewels and a box," for they well knew that it was packages of letters, not jewels, I had taken. The Nazir then gave a true and full written acknowledgment of the whole matter to me, in the presence of the Honourable W. H. Tracey, which he duly signed along with me. This statement was accordingly sent down with further full particulars from me to the Suddr Court, for the information of the Registrar, Mr. Cator. The Judge of the Suddr Court, Mr. T. A. Oakes, did not give credit to the correctness of the Nazir's statement, giving the particulars of this affair, and in consequence he, Mr. T. A. Oakes, handed up the case to Government, with a recommendation that a Commission should report upon it.

This judgment on the Nazir's statement and my report, Mr. T. A. Oates just previous to his death expressed in writing deep regret at ever having given.

Mohadeen was Nazir at the time when his records were so interpolated with the word "Sumaroo" in the case "Mutial "Naick *versus* Calistry Rajah," which could hardly have been done without his knowledge. This affair threw a strong suspicion in my mind against this man.

On the third day after this man had been guilty of these false statements before the West's Commission, that is, by return of post, an order was received from the Suddr Court, Mr. T. A. Oakes being the only Judge present, restoring him to the situation of Nazir—his former post. This was only an attempt to extricate this tool. Several went to see the order, not crediting that such could ever have been given.

I lost no time in submitting a copy of all these proceedings to Government, but they were delayed for some days in transmission, for the order in answer to my application was not received from Government till long after, which was a last attempt to save this man.

The Government's order was very preremptory; agreeable to my wishes, it directed the dismissal of this man, not only from his situation, but from the service, and instructions were added that he was never again to be employed. The reason assigned for this dismissal was on "account of the very objectionable "nature of his evidence when before the Commissioners in Mr. "West's sale case."

While I was under suspension for nearly two years on account of West's sale case, the office of Zillah Judge of Chittoor was filled by a very young man, Mr. C. E. Oakes, the brother of the Acting First Judge of the Suddr, Mr. T. A. Oakes. This young Acting Zillah Judge, Mr. C. E. Oakes, having received from

Mutial Naick an appeal against Mr. Tracey's award, on the Calistry Rajah's case, immediately, out of order on the file, took up the case and decided upon it, reversing the said Honourable Register's decree, and awarded the whole amount of damages claimed, with all costs in both Courts to be paid by the Rajah.

CHAPTER III.

Petition against an Acting Judge—Drowning of six asses—Restoration to Chittoor—Decision against the Rajah—Robbery of Lieutenant Bruière—Dismissal of prisoners, but committal of eight witnesses—Found guilty —"Dangerous" good health—Young Artillery Officers and their dress swords.

THE acting first Judge of the Provincial Court, Mr. Casamajor, was, at this time called upon by Government to report upon a petition presented by a native of Chittoor against this acting Zillah Judge, Mr. C. E. Oakes. This petition complained that the said acting Zillah Judge had tied six of petitioner's jackasses together, and had pushed one, then another into a well, and that they were in consequence all six drowned. That when petitioner demanded payment for his asses, namely 24 rupees, the acting Judge beat him. The petition closed by stating that the said acting Zillah Judge was always drunk.

No one came forward to prove the drowning of the six asses. If anyone had done so, he would very certainly have incurred the marked enmity of members of the Provincial Court, both European and Native. The medical officer was then called upon to speak regarding the intoxication. He deposed that he had never seen Mr. C. E. Oakes drunk, and there the matter ended. No "official" evidence to the truth of the petition was forthcoming, and therefore Mr. G. J. Casamajor acquitted Mr. C. E. Oakes. This affair, as can be easily imagined, turned out

precisely as it was desired by those who had the management of this enquiry so contrary to the usual rules and custom of the service.

At this time the true merits of Mr. West's case had become known, and it was very evident from the general opinion that Sir F. Adam had acted with great precipitancy and severity in that affair. When this case of Mr. C. E. Oakes therefore came before Sir F. Adam, he had an opportunity, he imagined, of redeeming his character by the minute of Council which he wrote on Mr. C. E. Oakes' case, a document which was laughed at by all, till it was destroyed by the very person to whom it was addressed, he being actually ashamed of it.

Now, it is more than probable that no notice would have been taken of this matter by me, had this been the whole of the verdict: but, when Mr. Casamajor, in order to support the decision he had arrived at, and to show it to be correct, dragged into his report extraneous and irrelevant matter, and congratulated the Government on the success which had recently attended the exertions of the Commission which lately sat at Chittoor on the Judge, Mr. Lascelles, in the matter connected with the sale of Mr. West's property; and as the learned gentleman went on to argue, that as the late Judge was much respected by the natives and a great favourite in the district, yet, as abundance of evidence had been forthcoming against him for his conviction, it was only reasonably to be expected that, as the acting Judge, Mr. C. E. Oakes, was neither a favourite nor respected, if the petition was true, there would have been evidence forthcoming against him; and again, as in the course of a few days the said acting Judge, Mr. C. E. Oakes, received the minute of consultation highly complimenting him upon the

Commissioners' award, and moreover as soon after this the Fort St. George *Gazette* was published containing my restoration to the Chittoor Bench, with a long list of reversed appointments in consequence of this restoration, and as in an obscure corner of the same *Gazette* might be found in small type the Honourable Court's observations on Mr. West's sale case, closing thus—"The Court of Directors of the East India Company, are of "opinion that such evidence does not support any injurious "imputation against that gentleman's conduct or character," and lastly as this decision of Mr. Casamajor's had caused a great division of opinion in the Society at Chittoor, Arcot, and Vellore, for everyone there had heard that the asses had been drowned as described, and knew that the acting Judge complained against was the brother of the 1st Judge of the Suddr, and 3,000 rupees in Mr. Casamajor's debt: therefore, the reader has here the reason why this subject has been thus entered in these Reminiscences.

I was congratulated by many on my restoration to Chittoor, so contrary to general expectations. I had heard one opinion from many, that I ought to be acquitted and restored to the Bench, but I never heard but from one person, that that Bench would be Chittoor, and to this was added—"with full compensation;" not one rupee has ever been granted.

Every endeavour was made to avert my return to Chittoor; I well knew what I had there to encounter, and I well knew the amount of support that I should receive from the Chief Secretary, Mr. H. Chamier, and the Acting first Judge of the Suddr Court, in case of difficulties appearing. The Magistrate of the District I held in contempt—I was his superior in all things—unless he was appointed Commissioner again

over me. I urged the Government to change me to any other district, but could not succeed.

The Rajah of Calistry carried this decree of Mr. C. E. Oakes into the Special Appeal Court, that is to the Centre Provincial Court over which Mr. T. A. Oakes, Mutial Naick's master, presided. The Judges present rejected the Rajah's prayer to be heard in special, and declared the decree of the Acting Zillah Judge, Mr. C. E. Oakes, to be final.

These proceedings appeared to me to be so iniquitous that, as I had by this time, fortunately for myself and the Rajah, been restored to the Judgeship of Chittoor, from which I had been long most unjustly suspended, I was able to submit the case, on being called upon, direct to the Hon. Court of Directors. The iniquity of the proceedings, I stated, consisted, *not only* in the illegal and unjustifiable rejection, on false grounds, of the Rajah's prayer to be heard in special, but in the destruction of a clear and exhaustive minute on the case, written by Mr. James Haigh, who had been Acting second Provincial Court Judge at Chittoor; and which minute was then in Mr. Haigh's hand-writing on the records of the Court, but which the First and Third Judges deemed, as it was not duly signed by Mr. Haigh, only as so much waste paper, and therefore destroyed it.

The Rajah waited for the return of the First Judge of the Suddr Court, Mr. J. Bird, from the Cape of Good Hope; he then again appealed to that Court, against this act of the two Judges of the Provincial Court, in rejecting his special appeal, the result was, an order from the higher Court for the Provincial Court to admit the Rajah's cause on the Special Appeal file, as it had been most irregularly rejected "in the face of a palpable "fraud." This order was accordingly obeyed, but the case

was immediately taken up out of its order on the file and decreed upon by the same two judges, and the award in Special then passed, confirmed the decision of the Lower Court, passed by the Acting Ziliah Judge, Mr. C. E. Oakes, with all costs; leaving, as I reported to the Honourable Court of Directors, "their own head servant in possession of property, obtained by "means of a fraud more nefarious, and acts more disgraceful "than I had ever witnessed during a service of 24 years."

When I wrote the above, I did not believe it possible that such a report could do me serious injury in the estimation of both the Local and Home Governments.

In the course of time I discovered by sad experience that everything of the nature of this report, such as my defence of the Rajah of Calistry;—defence of myself when falsely accused;—the removal of unfit servants from office; the prosecution of two favoured servants who were finally dismissed;—my refusing to apologise when called upon to do so; my appeal to Government, which after twenty-one days had been returned to me, without having been forwarded; but which appeal afterwards forwarded by me direct to Government, proved beyond all doubt that the Local Government, by the act of unjustly removing me to Cuddapah—which caused all the mischief, of so serious a nature to others, which followed—had been made a tool of by the First Judge, Mr. T. A. Oakes.

I discovered that everything of this description was considered only as a libel on those who had preceded me in office, and consequently must be distasteful to superior authority.

Here is the true cause why the express orders of the Home Government in my case had frequently been disobeyed by the

Local Government. The command was, on all occasions, to call for explanation previous to even giving a reprimand. This had reached to such a height, that, as shall be shown hereafter, when I was called upon to furnish particular specific explanations for the information of Government, the necessary record to enable me to do so was refused, and I was ordered to give the information called for "from memory," the first such order on record.

I gave the explanation, which contained nearly 5,000 words, but it was not deemed satisfactory; and without my being called upon for anything further, I was again suspended the service, but restored on the same day on which the explanations were given by me to Lord Elphinstone. I had, however, as shall hereafter be shown, been five months under suspension.

At this time a large dinner party at Chittoor, one evening, was startled by the arrival of an express autograph from the Governor, Sir F. Adam, to the Magistrate, Mr. Charles Roberts, informing him that his nephew, Lieutenant Bruière, a young artillery officer, had been plundered while travelling through the Chittoor district. This express ordered a warrant to be issued with a reward for the apprehension of the plunderers. Orders were, during the dinner, given to this effect, and a proclamation issued offering a large reward; all this was illegal, on such grounds a warrant ought not to have been issued.

A few days after this I received a report that a batch of prisoners and witnesses had arrived at the Criminal Court, charged with having plundered Lieut. Bruière. The Magistrate, Mr. Roberts, duly reported his success to the Governor, stating that the prisoners had confessed to the deed; and he added that he had in consequence distributed the reward sanctioned,

Immediate attention was given to the case by the Criminal Court. The depositions taken in the Magistrate's office certainly did show confessions and accusations one against the other; but it soon appeared that a great deal too much zeal, and too little discretion had been evinced in this case, in taking for granted these statements without sufficient examination when before the Magistracy. Within the course of the day, all the witnesses stood convicted by me for perjury; and the prisoners, who were stated to have confessed to having robbed Lieutenant Bruière, were bound over as witnesses to appear at the Sessions Court.

It would appear that this sudden change had caused the illness of the Magistrate, Mr. Roberts, for he immediately applied to Dr. Simpson, the Zillah Surgeon, for a sick certificate to the Neilgherry Hills, which the doctor refused, saying, "You appear "to me in as good a state of health as I am." There never was, in respect of appearances, a greater difference between two men; the Magistrate robust and rubicund, the doctor who looked to have been on "starvation allowance" since his birth. On receiving this refusal the Magistrate moved out into tents, and went direct to Arcot, where Dr. Macdonald gave him a sick certificate to the hills, as being in a "dangerous state of too high "health."

Mr. Ogilvie, my brother-in-law, was appointed to act for Mr. Roberts. This gentleman called immediately upon his arrival and expressed great apprehension lest I should be again removed from office, for he told me that he had received singular and important letters from the Governor, ordering him to re-apprehend certain persons which he understood had been improperly released by me. He asked me what was to be done?

I advised him to pay no attention to the affair, which advice he did not like. I then told him it would be best to report that the released men were most probably by this time on the other side of the Narbuddah in the Nizam's territory, but that he would endeavour to catch them. Whilst this was going on, the Sessions Court was proceeding with the trial of the eight committed witnesses; the sentence upon them was seven years' labour on the roads for each, for perjury. I should have liked to have seen the Suddr Foujdari reduce this seven years, and keep that for those who had bribed and suborned these poor unfortunate, ignorant men. This sentence was so severe that the youngest Assistant Magistrate cried out "Shame!"

Late one evening soon after, I went to the Court House to see a fresh batch of prisoners reported to have been brought in on the same charge, of having robbed Lieut. Bruière. I soon became satisfied that *this* time the police were right, for among the articles found on one of the accused was a dress sword, or rather a portion of one, which gave great cause for strong suspicion. I knew something regarding this sword. It so happened that some time previously the young gentlemen in the Artillery, not wishing to carry about any superfluity when dressed, had broken off a large portion of the blades of their dress swords; and on one occasion, when the commanding officer called upon these gentlemen to "Draw!" the appearance of two inches of blade flourished from the scabbard, caused them to look extremely foolish, and raised a laugh at their expense. This sword, among the stolen property, was one of these broken blades, but of course it was not sufficient proof to the act charged, as it might have been picked up on the road.

The charge against these prisoners was fully established. The

simple story was this. When Lieut. Bruière's palanquin was passing along the Arnee Plains, *en route* to Vellore, some stones were thrown at it, when near a Lombardi (Gipsy) encampment. The bearers became alarmed, put down the palanquin, and fled to the jungle; and it appeared that Lieut. Bruière had followed their example. The result, as likely to take place in the immediate vicinity of a Gipsy camp, is easily conjectured—the vacated palanquin was plundered. Shortly afterwards the bearers returned, as did also the gallant officer, and continued their journey.

The Magistrate had made such a report to Government on this case, that if the "Simon Pures" had not at this very time been apprehended, I should in all probability have been again suspended, and a Commission appointed to try me, on better grounds than the West's sale affair. This report, made by Mr. C. Roberts, was, with one exception, the most faulty record that ever came to my knowledge, that exception was the report on West's sale (Mr. Roberts was the First Commissioner). This was executed about the same time, by the same head and hand, and exhibited a very similar amount of zeal and gross error in judgment.

Both the report on Lieut. Bruière's case, and the above-mentioned exception, had the same object in view, terminating in the same way, finally fatal to the same party, and were both written to please, and for the information of the same high authority.

CHAPTER IV.

A Vain Magistrate—Lord William Bentinck's visit to the Hills—My Flight to Tanjore—Interview with Lord William Bentinck—Kindness then shown to me—Interrogations—Sir William MacNaghten, my old College friend—His Afghan Policy—His Death.

On my suspension in the matter of West's sale, I was in perfect ignorance, as all the Chittoor Society also were, as to the particulars wherein I had transgressed.

On the day in which I was branded in the Fort St. George *Gazette*, by order of Sir F. Adam, the Governor, for having been guilty of want of good faith, a thing so unusual, and never before heard of throughout India, every gentleman and lady at Chittoor, with one exception, called upon me before 10 o'clock, to enquire the cause. I was quite unable to give any explanation as my letter to Government, same date, fully proved, and I was kept in this state of ignorance until Government, at my request, furnished me with a copy of the proceedings.

At this meeting of friends, the position in which Mr. C. Roberts, the Collector and Magistrate of Chittoor, had been placed as a Commissioner on this case, over me as the Judge, his junior in the service, was one which was much commented upon. It had on more than one occasion been predicted by these friends, that he would break down in it.

There probably was not a more weak, vain, and pompous man

in the Service; whenever he moved abroad he had bugles to sound his praises, and his titles: his servants were robed in scarlet. It was evident that he had been groaning, for some time previously, under a junior, who, as Judge, ruled over both his Magisterial and Collectorate duties; the same junior who objected to his residence at Pullmanair. But what caused far greater annoyance was the native feelings referred to by Mr. Casamajor, and the religious proclivities abroad. Mr. Roberts could not, on this occasion, resist showing the power he then possessed. He, therefore, drew up the report on West's sale, sent in to Government, many days previous to its being signed by the other two Commissioners, they had for some time refused to sign it, and it was not until the arrival of the post on Saturday morning, which conveyed the information of the arrival at Madras on the previous evening of the wife of the third Commissioner, Mr. Ashton, that the report was signed, and Mr. Ashton started for Madras. In connection with the above, I will state an occurrence well remembered and commented upon by many. The Cavalry officers at Arcot had resolved upon giving a party in honour of my acquittal, and on the Friday evening at Chittoor the Secretary to the Commission, the Hon. W. H. Tracey, was pressed by them to tell when that event might be expected, as they wished to make preparations. Mr. Tracey's answer was, "Don't bother me, not for the next ten "days at the soonest; Ashton will never sign the report." I may here say that I have never been able to discover more than two individuals who turned the cold shoulder upon me, during the two sad years of my suspension. One was, the exception referred to in the last paragraph. A Captain D. of the Commissariat, the other was also a Captain D., but at the time he was Resident at Tanjore: that gentleman declined to dine at

Vellum with my brother-in-law, Mr. Kindersley, Principal Collector, because I was then under suspension.

It is a remarkable fact that both these Captain D.'s were a very short time subsequently cashiered, dismissed the service, and sent to Prince of Wales' Island in felon's clothes from the Madras roads.

I must here state that in the close of the previous year, having been informed that Lord William Bentinck and his family would pass through Chittoor on their way to the Neilgherry hills, I had written to his Lordship to say that I should have pleasure in placing my house at his Lordship's disposal, during his halt at Chittoor. To this I received in answer, that his Lordship would be happy to renew our acquaintance when *en route* to the Hills. On receipt of the notification contained in the Fort St. George *Gazette*, of January, 1834, I fled to Tanjore, being unable to show myself to his Lordship, after what had happened.

I lost no time in placing before the Local Government my reply to the Commissioner's report on West's sale; which reply I had not the smallest doubt would have induced the Government to—as stated by Mr. Greme—retrace their steps, and rectify the blunder, which it appeared that the Government had committed in my suspension. Here I was mistaken, for the answer was that "Government saw no reason to alter the "decision arrived at." I was then urged to appeal forthwith to the Supreme Government; the Governor, Lord Wm. Bentinck, was then sitting on the Neilgherry hills. I did so, and placed the complete record before the Supreme Council.

Upon my being brought into the presence of Lord William

Bentinck, to whom I had in a peculiarly marked manner been introduced by his sister-in-law, Lady Olivia Sparrow, as a believer in the Lord, I felt deep pain that his Lordship should suppose me guilty of an act so disgraceful to the character of a *gentleman*, and consequently much more to that of a *Christian*.

This heavy trial was greatly aggravated on the same day, by meeting my old College friend, William MacNaghten, as Chief Secretary; and also General Morrison, a member of the Supreme Council, in whose house I was received on first landing in India, and who had been a sincere friend to me for many years: but by one and all I was received in a manner which caused me to feel most truly grateful.

A much greater interest was taken in my case in Appeal, by the Supreme Government, than I had any reason to expect.

I was requested to answer many questions regarding West's sale, on account of which I was under suspension, and had been proclaimed as a delinquent in the Fort St. George *Gazette*.

I had good grounds for believing that with two exceptions, all my replies were quite satisfactory: these two unanswered questions were—1st. If I could explain what had induced Sir Frederick Adam first to suspend me, till the pleasure of the Court of Directors was known, and then, on the *same* day to appoint Mr. William Harrington to my situation, and to place my name in the Fort St. George *Gazette* as guilty, without waiting the decision in Appeal, thus virtually deciding against me?

I was not able to account for this, except that a few months previously I had most unintentionally given great offence to Sir Frederick Adam in a correspondence which took place with the

private Secretary when Mr. William Harrington was placed above me, in the Southern Court of Circuit. The private Secretary was a medical man, who had only just arrived from the Ionian Islands, and who had much misunderstood me; I never intended to call in question the Governor's right to nominate any servant whom he might think proper; my sole desire was to point out the serious injury I had received by the fact of a junior being placed in my situation, while I was put on "out-of-employ allowances" without any reason whatever being assigned.

This same question to which I failed to give a satisfactory reply, had apparently been asked by the Court of Directors, and Sir Frederick Adam's answer to the Honourable Court was that "the exigencies of the service required the appointment;" but this reason did not agree with the fact, Mr. Wm. Harrington being otherwise employed, never did a day's duty in the district of Chittoor.

The second question was this,—could I give the reason why Sir Frederick Adam, when on the 8th January he suspended me, caused that suspension to have retrospective effect for three months and eight days, depriving me of my salary during that time? I could not explain the reason.

I may here add that I have reason to believe that some observation on this point had been made on the proceedings of the Appeal case, which had attracted the attention of the Home Government; for on a subsequent occasion, when I was again suspended by the Local Government, although I had for many months been absent from duty on sick certificate when this suspension took place, it was done according to a late order, not from the date of my suspension by Government, *but from the day*

on which I received the intimation of the suspension. My being mulcted of three months' and eight days' pay in arrears, by the scratch of the Governor's pen, was a heavy blow on the top of the suspension from office. I have good reason to suppose that it was the Honourable Court's observations on this point, which caused Sir Frederick Adam to throw up the Governorship.

At this time Sir Frederick Adam brought to the attention of the Supreme Government, that he had forwarded to the Court of Directors the whole of my case in the "General Palmer" round the Cape. This induced my old Collegiate friend, Sir William MacNaghten, officially to inform me that the Supreme Government could not proceed in this matter: the reason was, lest any order passed by the Supreme Government should clash with a decision given by the Home Government. The advice I received from these kind friends was most valuable and was duly followed. That advice was to remain quiet, not to write, and I might fully expect restoration to the same Judgeship from which I had been removed.

I mentioned this to two kind Christian friends, walking one evening on the banks of the Cauvary, Mr. J. F. Thomas, long Chief Secretary to Government, and Mr. E. Crisp, Missionary, afterwards many years Secretary to the Tract Society. Mr. Thomas gave his opinion that I might get another Judgship, but it would be too severe a blow to Government to replace me at Chittoor. I abstained from all writing, resting upon the simple statements laid before the Supreme Government, which, with other papers, went *overland,* and consequently reached the Honourable Court before the records of the case, sent around the Cape in the "General Palmer." This must have shown the Court of Directors that the Supreme Government had become much more

intimate with the case and much more masters of it than the three Commissioners.

A private correspondence on the subject had taken place between the Chief Secretary, Sir William MacNaghten, and his brother-in-law, David Hill, Examiner at the India House; and this had led to General Molesworth, my father-in-law, and my own father, being placed in possession, by Mr. Hill, of full particulars, which they duly published; and this explains how facts came to be known, previous to the Honourable Court's opinion being officially given out, on receipt of which, I considered it my duty to address Lord William Bentinck, and to point out how complete my justification was, by my restoration, *free from all blame,* to my former situation as Judge of Chittoor, and to thank his Lordship for the trouble and interest taken on my behalf. I pointed out to his Lordship in what part of the Fort St. George *Gazette* he would find the Honourable Court's judgment on the case, concealed in an obscure corner of that *Gazette,* in small type, among sandal-wood, and post-office advertisements.

I had not an opportunity of thanking my old and faithful friend, Willie MacNaghten, we never met again. He was brutally massacred by the Afghans in the exercise of his political duties, and his body cut into four quarters, was, after having been carried about Cabul, exposed on one of the largest public buildings in the place, which building was afterwards levelled to the ground by our troops.

Anything coming from the pen of a certain great historian, in connection with Sir William MacNaghten, ought to be received *cum grano salis,* even when it should come second hand from the pen of such a correct and beautiful writer as Justin MacCarthy.

I may be permitted, however, to state, that William MacNaghten was by no means a likely character to be startled by anything coming from such a man as Akbar Khan; he too well knew the Afghan, to trust a traitor. Who is there among all Sir William's associates that can believe, except on substantial proof, that the man who could one day indignantly reject the unconditional surrender of the British troops at the instigation of Akbar Khan, could on the next day after that, be "startled" by a proposition from the same individual that had proposed the surrender, and could enter into a treaty with such a character, which few Englishmen, under any circumstances would have consented to. I cannot believe Sir William MacNaghten to have been guilty of such conduct.

Sir William MacNaghten and the certain great historian, referred to above, had, on the Neilgherry hills in April, 1834, a passage at arms, which the latter was not likely soon to forget. That little trifling affair showed up the two men. There could hardly have been a greater contrast.

PART FOURTH.

CHAPTER I.

Mutial Naick removed from the service—His restoration—Cato street conspiracy—A secret appointment—Seizure of documents—Dismissal of conspiring servants—My removal to Cuddapah—A visit to a member of Council—Mutial Naick's sentence to seven years; and his death.

An order had been received by the First Judge, Provincial Court, Mr. T. A. Oakes, from the Governor in Council, Sir Frederick Adam, to remove Mutial Naick's name from the list of servants in the Provincial Court establishment. This was done, but in his place was put, by Mr. T. A. Oakes, the name of Mutial Naick's intended son-in-law, a boy at that time at school.

Immediately on Sir Frederick Adam's resignation of the Government being accepted, Mutial Naick's name was restored to the list of servants, and appointed Head Ministerial servant (Sheristadar) of the Provincial Court, by order of Mr. T. A. Oakes; his son-in-law was allowed to keep the head writer-ship: this was done without the knowledge of Government. After this appointment, Mutial Naick's power became great in the district, and the acting First Judge, Mr. Casamajor, put his hands in his pockets.

At this time a report was circulated that the Zillah Judge, the Collector and Magistrate, and their two Sheristadars had all been bribed to the extent of many thousand rupees by the Rajah of Calistry. Credit was given to this absurd report by some of the Chittoor society, who were high in authority. The report gave great annoyance to many persons; and this was the origin of what was named the "Cato-street conspiracy;" the particulars of which, as they reached the Court of Directors, I shall here relate, because they will afterwards be referred to.

One evening, unheard by any other person, a Christian, called Alexander, whispered to me, "meet me in the middle of the "Compound, after dark!" Not a little astonished by this cautious and singular request, I went on the same evening to the place appointed. I had only been there a few minutes when I was joined by Alexander, who, in evident trepidation, informed me that he feared to be seen talking with me, or writing to me, and that on this account he had chosen the dark night to make his communication. He then informed me that several persons (native servants of Government) had joined together for the purpose of writing a Petition to Government accusing me and others of having received bribes from the Calistry Rajah, in order that we might assist him in his case then before the Court. He also informed me, that on the following evening at 9 o'clock, they were all to meet at a certain house in Chittoor, when the Petition was to be duly drawn up for Government, accusing several of taking bribes from the Rajah. That they had asked him to copy the Petition as his handwriting was not known, and they were afraid to let it be known who it was that copied it. He had consented, he said to do this for them, intending to tell me. I requested him to keep his promise, and to perform the writing required of him,

as if he had said nothing to me on the subject, adding that I would give him four active peons, who upon a signal from him would rush in, seize the papers, and bring them to me. I cautioned him not to give the signal until he had finished the Petition.

On the following evening, according to my promise, I appointed four men, giving them the necessary instructions, which they obeyed; for when Alexander gave the signal, they rushed in to seize the papers, but did not succeed in getting possession of them, till they had been torn into fragments by the chief of the conspirators, a true Thistlewood. I shall say more of this man hereafter. These fragments were all collected and brought to me, and with a little paste, but a great deal of patience, they were put together, and the evidence was complete.

Next morning I carried this document to the Collector, Mr. Ogilvie, who was one of those accused of being bribed; he advised that the matter should forthwith be brought to the attention of Government. I did so on the same day, and asked permission to bring an action against all connected with the affair; an action for conspiracy and libel, as then the whole matter would be brought to light.

In due course I received the Government reply, which stated that the case had been referred to the Suddr Udawlut, and the Suddr had corresponded with the Provincial Court on the subject. The Suddr was of opinion that to constitute a libel the statements must be published, and as this had not been done, they could not admit an action for libel. The Provincial Court was of opinion that my act in seizing the papers was improper and illegal.

The Government sent an order to the Collector, Mr. Ogilvie, and to the Judge, myself, to dismiss every servant connected with the affair.

These proceedings attracted the attention of the Court of Directors, who, observing that no investigation had taken place into the matter, which ought to have been ordered that the Provincial Court should summon the parties before them, and send up a full report on the subject. The execution of this order was delayed for a considerable time; till Mr. T. A. Oakes returned to Chittoor. He then reported, in a few lines, that the whole was nothing but falsehoods. Mr. Oakes ought to have proceeded further than this and discovered and reported who was the author of these falsehoods, but there the matter dropped. Probably ninety-nine per cent. of those who knew anything about this business believed that Mutial Naick was the originator of the whole, for who else was interested in such a matter? There was much evidence to this effect, which would probably have convicted him, and shown that the case was a regular conspiracy, got up to suit the occasion, viz., the great cause then before the Courts in Appeal; but this the Judges in the Provincial Court, who had received instructions from the Court of Directors, would not listen to. Why was it so?

The threat which had for some weeks been held in suspense over my head by Mr. T. A. Oakes, to remove me to Cuddapah unless I apologised for having, as he stated, falsely reported the Judges absent from duty was carried into execution, and I was accordingly now removed to Cuddapah, without receiving one word as to the reason, till one-and-a-half years afterwards. This removal was supposed to have been effected to prevent future opposition to my superiors in office. It is difficult to understand

how this removal could answer this purpose, the Zillah Judges of Cuddapah and Chittoor being both under the same superior Judges, and both districts parts of the Centre division.

But this removal effectually answered another object; and that was certainly one of the chief ends for which it was intended, namely, the removal of the old Record keeper at Chittoor from office, and the putting into his place, in charge of the records, a nephew of Mutial Naick. To me this object was evident.

On my arrival at Cuddapah, I received information of the dismissal of my old Record keeper. To have appealed as requested for justice to the Provincial Court, or to the Suddr Foujdari, constituted as these Courts were at the time, appeared to be futile. I therefore laid the whole matter privately before a member of the Council board. In answer I received an invitation to visit him, and as I had at the time been again suspended from the Judgeship of Cuddapah for alleged insubordination to my superiors, I visited this member of the Council at his seat "Southdowns," on the Neilgherry Hills, and then laid the whole matter before him in the presence of his brother-in-law, Mr. Harrington. That same gentleman was immediately appointed commissioner, to report direct to Government upon the whole of this affair. The result was, to the great surprise of Mutial Naick's party, both Europeans and natives, a sentence of seven years hard labour on the roads for Mutial Naick and his nephew, the newly appointed Record keeper. This party was looking towards the Provincial Court, not expecting a Commission to whom all was known. This sentence was immediately followed by the Government suspending from the Bench, the two Judges of the Provincial Court: one of these Mr. Horsely

never recovered the shock, he died soon after being suspended. Mutial Naick also died whilst undergoing his punishment in the Chittoor jail.

A question will naturally here arise in the enquiring mind why was not the Nazir Mohaddeen charged with conspiring in connection with this "Sumaroo" case, as all his records were interpolated with the word; and as he has been shown to have throughout received support and protection from that party?

I never had a doubt on this subject. Nazir Mohaddeen was throughout the whole proceedings, shown to have been more closely connected with Mutial Naick's case than his nephew who was convicted, but at this time it required more nerve to try a Musselman than a poor Hindoo, especially if of considerable note, of this I had proof soon after at Hoonore. Mohaddeen was the brother of the late Judge's widow.

CHAPTER II.

Nazir Mohaddeen—Interpolations in legal documents—The "Sumaroo" alteration—Attempt to convict Venkiah of tampering with records—Extract from Memorial—Famine in India—Purchase of children at Chittoor—Feeding a Royal tiger—Lydia—Paul—Curious feigned robbery of widow's jewels—My painful farewells at Chittoor—Appeal against my removal to Cuddapah.

It may be supposed that all this litigation was only for the paltry sum of 789 rupees; this is a mistake. When bringing the matter to the attention of the Honourable Court of Directors, I estimated the loss which would accrue to the Rajah "to exceed 25,000 rupees." If the land in question was decided to be plaintiff's, water could not then be admitted into the Natal tank, consequently the land below that tank could not have paid as many shillings per acre rent as it would have paid pounds, had the land been under irrigation. It was to secure this land that the interpolations were made of the Sanscrit word "Sumaroo" in so many of the records connected with the said case.

"Sumaroo" means "about;" and the plaintiff hoped, that as many of the documents had the word "Sumaroo" entered above the 2710 goontahs, that this would prove his right to 6,847 goontahs of land. The case came up before me as Zillah Judge. Venkiah was the Zillah Court Sheristadar, or Head Ministerial servant at the time. No case could have been

clearer; but the Appeal Court was of opinion that the many interpolations were proofs that the village had been sold as containing 6,487 goontahs; that is, that "about 2710" meant 6,487 goontahs of land, and because the proclamation of the sale,—the order to the Nazir Mohadeen to sell the village,—the bill of sale,—the entries in the Diary,—and other documents had this interpolation, therefore, the said quantity of land was, by right of purchase, plaintiff's. The Honourable W. Hanbury Tracey in the Lower Court held the contrary opinion: viz. that these interpolations must all have been made for a particular purpose, and clearly *after* these documents had been all executed.

But there is one fact which must carry conviction with it, and that is this,—the land in question to the eye of any observer must, when water is in the tank, be *under water*, and after the tank was repaired it was certain to be so covered. If, therefore, these additional goontahs claimed, were to be decreed and made over to the plaintiff, as they were in Mr. C. E. Oakes' appeal decision, there was no *land* which could have been given up to the plaintiff, except the water bed of the Natal tank. Thus clearly establishing a fact well known to all the villagers, that the original claim made by Mutial Naick was absurd; and that the village of Vinkatapoor had only 2710 goontahs belonging to it, as entered in the Curnum's account, and as sold at the auction.

When, at this time the Provincial Courts were abolished, the order was to employ, when establishing the New Courts, the most deserving of the old servants. There were two competitors for the New Appeal Court, Sheristadarship at Chittoor, Venkiah, who had been Sheristadar of the old Chittoor Zillah Court for

many years, to which he had been appointed by Government, and the school-boy before referred to, the son-in-law of Mutial Naick.

Mutial Naick was at that time undergoing punishment, which punishment had been brought about chiefly by Venkiah's instrumentality. Venkiah was a servant of upwards of 20 years standing, with *twenty-five* certificates of good conduct from members high in the service under whom he had served. The other candidate had nothing to recommend him. He was nevertheless, selected, and Venkiah was sent as an under-writer on 35 rupees per month to Cuddalore; we shall hear of him hereafter. Here we have a true sample of justice at that time in India.

Mutial Naick's son-in-law, when appointed Sheristadar, of the New Chittoor Appeal Court, declined taking charge, as he said that cash to a large amount had been taken from the Treasury, and that the records had been destroyed by the late servant Venkiah, who had been Sheristadar. This objection to resume charge was groundless, as he could only be held answerable for what he received. The Government, however, upon hearing this objection, appointed two Judges as Commissioners to enquire into this affair. This Commission, after sitting for the space of two years, divided, and sent in separate reports.

The object anxiously desired by one of these Commissioners was clearly shown throughout. It was to make a "scape goat" of Venkiah, when he was the Sheristadar and my servant, for robbing the Treasury and burning the records to conceal the same. It was hoped, no doubt, that if this could be established, and the very servant Venkiah, who had pointed out to the

Commissioner who had tried Mutial Naick's case, how the mischief had been done, and how the records had been altered and destroyed, was himself convicted of having done the same thing, good grounds would then be found to strengthen an appeal to Government for the release of Mutial Naick and his nephew from jail. To effect this object great expense was incurred, and two whole years were employed, but the dark intrigue totally failed, as is shown in a report to Government made by me, dated 29th April, 1848. To this report the Hon. Edward Stanhope was referred, but I am confident that he never read it.

Every page of Mr. Bell's report and proceedings satisfactorily show that his objects throughout were to convict Venkiah. He was probably influenced in this by Mutial Naick's son-in-law, Mr. Bell's Sheristadar, who managed the whole of the examinations for the Commissioner.

Mr. Lavie, the Second Commissioner, objected to this, he separated and sent up to Government a report of his own. He was of opinion that Vinkiah was unjustly accused by the other party, a fact abundantly proved by the report just referred to. A future paper will show how necessary to a full understanding of this matter was the above explanation.

During the time that I was Judge at Chittoor, there was one year a failure in the Monsoon, consequently a famine ensued. Rice rose to a great price, and children could be purchased for a very small sum. One boy, picked up in the Bazaar for a few rupees, was in the course of a few years well educated, and turned out very steady. He professed Christianity, and was baptized; I gave him the name of my eldest son—Henry—; he rose to be superintendent of a large Coffee plantation in Wynaud.

I registered in one day the sale of fourteen children sold to the former Judge, Mr. Waters; these were all girls. They were every one of them well taken care of and educated in the female school.

The famine for a short time was very severe. One day at a dinner party at my house, my assistant handed to table a young lady who had just arrived in India. In the course of conversation, the young lady having heard that her "chaperon" kept a royal tiger which could eat half a dozen legs of mutton in the twenty-fours hours, observed to him, "Do you not find it "very expensive feeding your tiger on mutton, at five rupees for "a sheep." He replied, "Very true, mutton is very dear, but "I can get a child for half the price of a sheep." This nonsense spoiled the young lady's dinner. The statement was true that a child could then have been purchased for half the price of a sheep.

I venture here to say that there will be in India no true mothers, till female education is paid more attention to. I will here record an instance of the benefit of religious education in India.

A lady was requested by a friend to recommend a young woman as Ayah to her, the lady complied with the request, and selected from her female school of young native Christian women, one named "Lydia." The lady whom Lydia went to serve, was a Roman Catholic, only just married to the eldest son of the late Chief Secretary. Lydia and her mistress got on at first very badly, and great doubts were entertained as regards Lydia remaining with her mistress; but they continued to work on as the lady and she were advised.

The objection made to Lydia was that she "affected to be so

"good," whereas, she "was a genuine little hypocrite," so said her mistress. There was no use in attempts at persuasion to the contrary of this, for—the Popish Priest had said so.

It happened one day that something went wrong, for which Lydia got all the blame, and a severe scolding, which brought out of her a great amount of hypocrisy, so-called, and some tears.

She retired from her mistress' presence, making a salaam, and went to a part of the house where she had no work. Her mistress followed her privately to a room full of empty boxes and broken furniture. There the poor girl threw herself upon her face on the ground, and prayed aloud for her mistress, who was listening, and heard every word that Lydia said.

The lady left this scene, and in the heat of the day, without waiting for her bonnet or any covering for her head, walked over to the house of the other lady, who had recommended Lydia to her, a distance of about a quarter of a mile, and, with tears in her eyes, recounted all that had taken place.

From this time during a few months all went on smoothly between Lydia and her mistress, but the latter and her infant died soon afterwards of confluent small-pox, a decided Christian, dating her conversion from the time of Lydia's prayer.

This lady's husband was also attacked by this dire disease, and was removed into the Judge's house, where he remained for some time. He left in perfect health, and, to the surprise of all who had known him, took up a deep interest with Mr. Mogglin in the Coorg Mission, which he energetically supported during the remaining part of his short life. He lived, he died, a devoted Christian, lamented by all in Malabar.

I must not omit to mention that Lydia was married to one of the officials in the German Mission.

I may next be allowed to give an anecdote out of the boys' school at Hoonore. It was our custom there, soon after five o'clock in the evening, to take a sail in a beautiful yacht called the "Undine," the admiration of all, built by myself on a model from Mr. White, at Cowes. This was something quite new at Hoonore. Many came to witness our getting under sail. One evening it attracted the attention of a Portuguese youth, of about ten years of age, named Paul. He was a remarkable boy in very many respects, although he was black, but it was a nice black. A lady asked him if he could read—"No, I cannot," was his answer. Would you like to learn? was the next question. He replied—"Very much." The lady told him to come to her house on the following day; he did so, and became a regular attendant at the school.

One day the Roman Catholic Priest met him, and they had some conversation which ended by the Priest saying—"Very "well, the lady is soon going to the Neilgherry hills, and then "I shall get you." This was repeated to the lady, who said —"No, he shall not, for I will take you with me." Which she accordingly did.

On their return to Hoonore the Priest again met Paul, when they had a second similar conversation, for the Priest ended this one by stating, "Ah! the lady is going to England, and *then* I "shall have you." Paul repeated this also to the lady, who replied, "No, he shall not, for I will take you with me to "England." This was accordingly done.

In England he was made a lion of, he was taken to music and

tea parties, had to stand at the side of the piano to be looked at, and was waited upon with tea and coffee by large men in scarlet and yellow livery, which made the poor boy feel very foolish.

Lionizing was at that time the fashion; Her Majesty the Queen set the example, but then Her Majesty had only a "Lioness," in the person of the little Coorg Ranee, whereas the Honourable Arthur Kinnaird had Paul for his "lion," a very different animal, I assure you, from Her Majesty's Lioness.

Paul's education was paid the greatest attention to during his residence in England. After two years he returned to Hoonore with the lady, his mistress.

During this voyage a great change seems to have come over him, for he had shown his wishes by entering into an agreement with one of the officers of the ship, to go with him and preach the Gospel to the inhabitants of some of the cold distant Northern Islands. I did not throw cold water upon this proposition, but I called a meeting of Christian friends at Hoonore, and laid the matter before the meeting, at which Paul was called upon to attend.

After due consideration it was proposed that Paul, being a sharp intelligent young man of seventeen, well educated and having already received great experience from the German Missionaries, might be employed by them in reading and setting forth the Truth on the coast among the Portuguese Roman Catholics.

This proposition was for some time in abeyance, but there were objections to this plan, and good ones; Paul being too young to be sent out, except under some experienced person:

for the whole coast from Cape Comorin to Delhi was a mass of heresy. Nothing therefore was decided.

On the arrival on the coast of the Rev. Mr. Josenhans and his Committee from Bâsle to enquire into this, there was a meeting at Hoonore to consider the best way of treating these heresies; one of which, and the chief was, the denial of the Eternal Sonship of our Lord.

Various were the propositions brought forward, but they all succumbed to one, which came originally from Anthony Norris Groves (although that gentleman was not present), who had some years previously practised the same with great success. It was this. Cease on all occasions of this kind from strife and controversy regarding such heresies as were disturbing the ignorant in Malabar; and place before them in strong, clear, loving language Christ crucified, in all its length and breadth, and then leave it in God's hands. This was adopted. Dear reader, do try it.

I must conclude this already too lengthy article on the little black Portuguese boy, Paul. The German Missionaries had expressed a wish to employ him, and as Paul, now grown up to be a fine young man, was delighted with the prospect of joining the Mission, we consented, and Paul went forth and joined the German Mission, in spreading the "glad tidings of great joy" over that dark benighted region, from the Gulf of Cambay to Cape Comorin.

I may be allowed one more anecdote.

On one occasion there stood before me a prisoner charged with burglary. The man struck me as very unlike the ordinary

description of men so charged, and he, in consequence, attracted my particular attention.

The prosecutor's complaint was, that on a certain night thieves entered his house and carried off a quantity of woman's jewels; and that when the alarm was given, the people in his house distinctly saw the prisoner running away; he escaped before they could apprehend him. The next day some Peons, with the search warrant, went to the prisoner's house, and on searching it, found the property stated to have been stolen, concealed in the thatch of the house. This was the case for the prosecution, it was a strong one, and was apparently fully established.

I was very favourably impressed by the energetic bearing of the prisoner, when he was called upon for anything he had to say in his defence. His first words were, "The Sahib knows "that I am not a thief." This he repeated. He then asked to be allowed to tell his story, and appeared pleased when I ordered him to be brought up nearer to where the writer was taking down notes of the case.

He then stated that his sister (she was an interesting young woman, not 20 years of age) had been married to prosecutor's brother; the two brothers lived in the same house. His sister's husband died; those in the house then took away her ornaments and clothes, cut off her hair, and gave her cold rice to eat once a day, whilst at the same time she was worked hard. She would not submit to this, so she got possession of her ornaments and brought them all to her brother, and he, not knowing what to do with them, placed the ornaments in the roof of his house, and went to his brother-in-law's house by night, and made it

appear as if the house had been attacked by robbers. In doing this he was seen.

As there was a possibility of this story not being true, although the kind of property taken, and the circumstances of the parties were much in favour of its being correct, I deemed it necessary to examine the widow separately, and, having sent the prisoner out of Court, I cross-examined his sister, the widow. In a very short time, as the two stories perfectly agreed, I was satisfied that the prisoner's statement was correct. I therefore gave up to the brother the property said to have been stolen, and told them to settle their affairs with the caste.

The parties concerned in this case were Hindoos. According to the Hindoo law they had no right to deprive the woman of her jewels, or to treat her in the manner described. This custom was introduced by the Mussulmans after their conquest.

More than forty years have passed since the day on which my second removal from Chittor took place; yet that day is painfully fresh in my memory, and will never be forgotten. I closed the door of my palanquin, and told the bearers to carry me quickly through the crowd of sorrowing people waiting outside the grounds to make their farewell salaam at my leaving. Amongst these there were the parents of the children of the largest female school in India, 93 in number, who had been for some time fed, clothed, and educated; many of these 93 had been purchased, these were provided for at my expense on my own grounds.

When the threat of removal first reached my ears, I paid little attention to it, but continued daily to go on with my public duties as if no such threat had been made; and privately,

to prepare the house and grounds, which I had recently purchased, for the reception of my wife and family, then on their voyage from England in the "Owen Glendower." Again, I repeat it, I did not at first believe that attention would be paid to anything so absurd as a threat to remove me to Cuddapah, in order to prevent collision with my superiors at Chittoor. But when the "bonâ fide" certificate was produced which was of so Jesuitical a nature as to deceive the Register, Mr. Brett, on its being first read, and when I was officially called upon by the Suddr Court, to apologise for having falsely accused my superiors, I saw what was determined upon. It then became my duty to appeal to the highest authority in hopes of averting this removal, an event which to me would be so prejudicial, and most painful since I could never take my family thither. A volume could here be written on this appeal, for I felt confident that it contained that which would have prevented the dreaded catastrophe, had it been forwarded to Government; in fact the Governor told me so at my private interview with him: but I shall pass it over, and leave the reader to imagine what must have been my feelings, encompassed as I was with every discomfort, when 21 days after my removal to Cuddapah, I received back this appeal, on which I had built such hopes for justice, from the very persons I had complained against, and who were my accusers. They chose to assert, in returning my appeal, that they were not the proper channel of access to Government, a statement which *was anything but true.*

I had made no preparation for this removal; I had not even engaged servants, because although I well knew that the Government was not likely a second time to restore me to Chittoor—once during half a century was even too much for

any Government so to act, and this the home authorities must have seen, yet, I felt convinced that I never should be allowed to work at Cuddapah, and for this reason:—The error in so removing me became daily more and more palpable, until it culminated, and was in some sort expiated by the sentence of seven years' labour on the roads, which was passed on the Head Ministerial servant of the Provincial Court, Mutial Naick, and the Record Keeper, his nephew, and by the suspension of the Judges: a finale I had predicted officially.

CHAPTER III.

Quarrel between Mr. Lewin and Mr. Casamajor—Forwarding of Record by friends at Chittoor—My defence in the return to precept of the Provincial Court—Mr. Lewin's public attack on me in the Court House—Prohibition of the employment of private servants on public business—My removal from Cuddapah.

It is necessary here to state that two of the Judges, Mr. Casamajor and Mr. Lewin, had a very serious private quarrel at the dinner table, in the presence of the two Registers, just previous to my quitting Chittoor; it is not necessary to state the particulars.

A few days after my arrival at Cuddapah, where I found very heavy arrears of public business, both civil and criminal, I received a packet of documents from Chittoor, brought to me by the son of a neighbouring Izaradar. I shall fully explain this. Cuddapah is only 120 miles from Chittoor across the country, but by the regular post road, it is about twice that distance. So soon as the Provincial Court knew of my arrival at Cuddapah, a precept was put into preparation, calling upon me to make a return within three days, but refusing all access to records (this refusal was the first ever known) and directing the return to be made "from memory." This was upsetting the circular orders of the Honourable Court of Directors, which directed that all requisite records shall, on such occasions, be

granted. The return to this precept would necessarily be of a very considerable length, for I was again charged with falsely accusing my superior, Mr. C. J. Casamajor, of having employed private servants to perform public work; and thus I was charged with having been again guilty of repeated systematic opposition to my superiors. I was called upon, without being allowed records to *produce proof*, to the correctness of my statement. While this precept was preparing at Chittoor, my friends heard of it, and seeing how impossible it would be for me in the short space of three days with all my other duties, and without the necessary aid of records to produce proof, and make a satisfactory return to such a precept. Some of these friends, I had many at Chittoor—(the Collector and Magistrate was my brother-in-law —the Missionaries—the two Registers—and many native servants in both the Courts)—went to work, unsolicited by me, and even without my knowledge, procured copies of such records as they knew would enable me fully and satisfactorily to make a reply to this precept: and having at their command a strong Mahratta chestnut pony, my friends mounted an active young Mussulman upon it, giving him the following instructions. Ride direct to Roychutty, as soon as you get there, leave the pony and proceed on foot, run over the Goolcheroo Pass, and tell the Izaradar to send his son with this packet into Cuddapah. These directions were carried out and thus much time gained, for the packet reached me forty-eight hours before the regular post, with the Provincial Court's precept. I was thus enabled to make the return called for within the three days, although much pressed for time in doing so; my return contained about 5,000 words, it has been printed, and it most fully shows numerous instances when private servants had been employed by Mr. Casamajor on public works, although the precept stated

that "Mr. Lascelles' assertion that Mr. Casamajor was in the "habit of permitting his private servants to transact the whole, "or the principal part of the public duty, is altogether "unfounded."

This precept appears to have been written by Mr. Lewin, Second Judge, and was signed "for the Register," by Mr. Lewin, and dispatched without the knowledge of his colleague, Mr. Casamajor, the acting First Judge, because Mr. Casamajor had, on all occasions, stated that nothing could induce him to hold any intercourse with the public servants of that Court. This Mr. Lewin considered insulting to him as he employed these servants. Again, another reason for penning such a precept was to support a very hasty (to say the least of it) expression made use of by him a few days previously in open Court. Addressing the Register, Mr. Brett, Mr. Lewin said "Go and tell your "friend, Mr. Lascelles, that he is a liar." As this affair was handed up to the Court of Directors without loss of time, and as it brought down upon Mr. Lewin a severe reprimand, it is not requisite that I should say more on this subject.

Immediately on this return of the 30th July being received at Chittoor by the Provincial Court, it was seen that I had received the assistance of records in making it, and on enquiry, as no attempt was made to conceal the despatch of the packet, the simple truth came out. A report was, in consequence, made by the Provincial Court to the Government on the subject, and, although the system of employing private servants was prohibited, nevertheless the following remarks were inserted in the reply received from Government, "that Mr. "Lascelles' return of the 30th July last is most objectionable, "and most disrespectful not only to their Court but also to the

"Government, and, moreover, that his removal from the Centre "Division is absolutely necessary, to enable the Provincial "Court to perform the heavy duties of the Division, which "have been most seriously impeded by Mr. Lascelles for many "months."

"In the extract from the minutes of Consultation, dated 8th "April last, Mr. Lascelles was warned that a continuance in a "course of systematic opposition to his superiors would not be "tolerated. He has, nevertheless, in his return under consi- "deration persevered in that course, His Lordship in Council has "therefore no alternative but to carry the warning already given "into effect, and Mr. Lascelles is hereby accordingly removed "from the office of Judge and Criminal Judge of Cuddapah."

This removal was precisely what was expected to take place, I was therefore not surprised when it came, but I was surprised at the way in which this removal was effected.

This return of the 30th July considered disrespectful, was intended as a simple defence, written under very harassing and most distressing circumstances. In a few words I am able to explain the whole affair, by almost a simple repetition of what I have already written.

In 1839 there were heavy arrears on the file of the Criminal Court, and heavy expenses had been incurred in consequence. The Government, on receipt of the Suddr's report, laid the blame upon me, and this was my defence. I placed the whole blame of the heavy arrears and expense on the Session Court; I pointed out that the Session Court diary proved the Session Judge to have been absent without leave, more than half of 1837-38 and three months of 1839; I also stated that the

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calendars of committed cases, showed by the dates of committal and the dates of trial, how the delay had taken place, and which delay had caused the expense. I pointed out that I had not been absent one day during the said period, and I gave seventeen letters of commendation from the highest authority, for attention to my duty. Not one word of all this was the Honourable Court permitted to see.

As regards my having been guilty of a repetition of the systematic opposition to my superiors, against which the Government states I had been duly warned, I shall here, as I did in the former case of Mutial Naick's, to which the Government here refers, give an abstract history of the career of this servant, Lutchminursoo, in whose case I am again stated to have opposed my superiors, which caused my suspension from the Bench, and then leave the whole to be perused and judged upon by others. But before doing so I must give an extract from the Honourable Court of Directors, dated 12th March, 1840—that is, eleven months after my addressing the Honourable Court on the 17th April, 1839:—

"You came to the resolution to remove Mr. Lascelles *from* "*Chittoor,* the seat of the Provincial Court, *to Cuddapah,* "another Zillah in the same division, upon the recommendation "of your President, who on that occasion records the following "remarks *in which we entirely concur.* I cannot reconcile with "my feeling of delicacy and propriety, the course which Mr. "Lascelles appeared to be in the habit of pursuing, in obtaining "information respecting the proceedings of his superiors, by "means of servants and inferiors, nothing, I think, can be "more objectionable and derogatory."

Now, these observations of the President on my removal from

Chittoor, are dated one year after it took place, and the approval of the Honourable Court of the same was received sixteen months after my removal from Chittoor, but as what took place at Cuddapah, respecting my receiving information regarding my superiors as stated, is the only possible instance where it ever could have been even supposed that I had employed servants and inferiors, and as neither the President's minute nor the Honourable Court's despatch show from whence was derived this said information, of my being "in the habit of pursuing and "obtaining information respecting the proceedings of my "superiors, by means of servants and inferiors." Moreover, as removing me to Cuddapah from Chittoor never could answer the purpose stated, as has since been satisfactorily proved, and more particularly as at the time I fully explained, both to the Local Government and to the Court of Directors, that the information I received and used on that occasion, was received from the Register, Mr. Brett, and had been suggested to that gentleman by the Second Judge, and lastly, as no reason had been given for my removal to Cuddapah till long after that event took place, I am induced to suppose that this ground assigned for my removal, as here stated, is either a mistake or has now been given in answer to a question from the Home Government, demanding the cause of the removal: a call, made in consequence of my appeal to the Court to be again restored to Chittoor, my appeal was as follows:—

"That your memorialist may a second time be restored to the "situation of Zillah Judge of Chittoor; because your memorialist "has ever looked upon his restoration to that station, from which "he had been ignominiously suspended, as a standing mark of "your Honourable Court's approval of his conduct, and he "therefore feels his present removal, against his earnest desire,

"as a deep injury, by depriving him of the only compensation he "has hitherto received for the injustice and injury sustained; "and also because it opens afresh the imputations then "published on his professional character—'an indelible "disgrace' as your Honourable Court so justly remarked— "and 'an injury that cannot be remedied;' "*whilst the "very silence here observed gives a power to malignity "to roam unfettered,* and insinuate everything dishonourable; "and thus makes that, which under other circumstances might "have been a mitigation, an aggravation of the injury "sustained."

So far from my having been in the habit of obtaining information, respecting the proceedings of my superiors from inferiors or servants, I never heard of such an absurdity, and I know of no one instance when it could even be supposed possible that I had so acted, save in the case in point, and here it could only be a mere conjecture, and this on an *ex parte* statement. The President did not evidently know that all the proceedings of my superiors were open to any one who might desire to take copies.

CHAPTER IV.

Abstract history of Lutchminursoo—Charged with heavy misdemeanours—Fined—Fine paid by his master, Mr. Casamajor, by cheque—Promotion of Lutchminursoo—More complaints against him—A special commission—Guilty—Reports of suicide—How to get on in the Company's Civil Service.

I SHALL now give an abstract history of the career of Lutchminursoo.

On my arrival at Cuddapah, when receiving the seals of office from the Judge I relieved, there was placed in my hands a packet of papers. The Judge informed me that they were charges against the Native Judge of Makapoor, by name Lutchminursoo.

This will illustrate the point in question, for this man had been a private servant of Mr. Casamajor's, and had been supported when previously charged with very heavy misdemeanours. The Judge informed me that a short time previously the Criminal Court had fined this said Native Judge 100 rupees, on account of "a midnight lawless intrusion into "the village of Kypha;" and that this 100 rupees, had been paid into Court by a cheque of Mr. Casamajor's on Binney and Company. The Criminal Judge who tried Lutchminursoo, placed on record on this occasion, that "one less powerfully "befriended, would be less leniently dealt with." I was told that the reason why these cases had not been enquired into

was the support Mr. Casamajor would be certain to give this man. Seeing the state of feeling this showed towards Lutchminursoo, in this return of the 30th July, I recommended that these charges made against this man should be referred for report to the sub-collector and magistrate in the division in which Makapoor is situated. It was this assault on Lutchminursoo, which induced the Government to observe that I had persevered in the forbidden course in thus attacking my superiors, against which I had only recently been cautioned. No answer was received regarding the proposed inquiry by the sub-collector, but an order was received from the Court of Appeal to promote Lutchminursoo to Cumbam as a first class Moonsiff. This was a gross insult to me, but it was, however, carried out.

At Cumbam many fresh complaints were soon preferred against him. These were sent down by order to the Suddr Court, where Mr. Casamajor was then acting First Judge, who immediately removed Lutchminursoo from Cumbam, but not one of the charges were examined into. He was next promoted by Mr. Casamajor to a Suddr Ameen in North Malabar, where he had not been many months before numerous charges were once more preferred against him.

At this time I was appointed to that district. These charges were brought to the attention of Government. A special Commission was ordered, Lutchminursoo was found guilty, ordered to be dismissed the service, and directed to be brought before the Criminal tribunal. This took place immediately after Mutial Naick's criminal prosecution and sentence of seven years on the roads.

Lutchminursoo was a high caste Puntloo, all his caste made

every exertion to save him from the ignominy of a trial before the Criminal Court, he never could have stood it. A report was received that he was dead, and it was stated that he had poisoned himself.

Neither this man nor Mutial Naick ever ought to have been placed in the positions they occupied. Lutchminursoo was rejected, but he obtained his first Judgeship at Makapoor on his master's promotion into the Provincial Court, a decidedly improper appointment.

Mutial Naick was by the Governor, Sir Fred Adam, directed to be removed from the service, but was soon after again placed at the head of the Provincial Court. He died in Chittoor jail, attended on his death-bed by a kind Mussulman jailor.

I now ask: if these two servants had been correctly reported upon to higher authority by the two senior Judges, their masters, should I have been reprimanded for great severity to public servants, suspended from the Bench, and fined to the amount of 100,000 rupees for repeated opposition to my superiors; and would the case of Abdool Kadr ever have been brought before the Local Government by the Suldr Court? I also ask, if their trials, when legally accused by me, had been ordered a few months previously, which they ought to have been, would my removal from Chittoor or Cuddapah, ever have taken place? In both these two cases, I strictly did what was simply my duty; and had Mr. Thomas Oakes, Mr. Casamajor and the chief secretary, Mr. H. Chamier, in like manner done theirs, it must be admitted that not I, but those only on whom the punishment ultimately most deservedly fell, would have been punished. My misfortune has ever been, to have had my prosecutors for my Judges.

In concluding this portion of my reminiscences, I have no hesitation in stating that it would have been more correct and proper on the part of Government to have placed to the credit of Mutial Naick and Lutchminursoo, on account of the numerous misdemeanours in which these two delinquents had been engaged, thereby occupying on many occasions, not only much valuable time of the three Courts, the Zillah, the Provincial, and the Suddr, but that of the Revenue department, and on several occasions the attention of the Local and Home Governments, moreover causing a very great expense to the State during *the* said period of 1837-8 and 1839—as the true causes of the great loss sustained, and the "hindrance to the performance of the heavy duties" of public servants—than to declare me guilty of having caused the same, and punish me a fourth time by suspension from the Bench, I who had so frequently during that same period warned my superiors, first the Local Governor, and, on two occasions, the Honourable Court of Directors, by stating that nothing short of a Commission would bring to light that which was at last obtained by resorting so what had so frequently been recommended, and which Mr. Casamajor would have done well, according to my judgment, to have seconded, in place of remaining quiescent and declaring that "nothing short of a "barrel of gunpowder would rectify the disorder." But if Mr. Casamajor had done according to what I thought right, he would very probably never have been called to the Suddr.

Here we have a lesson shown to us how some actually prospered and got on in the Civil Service of India at that time. Thus were they taught:—

1.—A Judge is selling justice. Do not charge him!

2.—A Treasury is being robbed. Shut your eyes!

3.—A rich Zemindar is being plundered by the Government servants in your office! Know nothing about it!

4.—Public situations of great importance are given away as remuneration, to most undeserving private servants, in direct opposition to authority, where they plundered the Natives! Support them in so doing!

5.—If a young Government servant gets into trouble by drowning half a dozen asses; and then beats the owner when he claims 24 rupees as their value. Dismiss the case, although you have seen proof of the act being perpetrated, and experienced the odour of the drowned jackasses as corroboration; and state that there is no "official evidence." In short, follow the advice of a well-known character, much my superior in office: "If I saw "the Government Treasury being plundered I would prevent it, "if able; but if I could not, I would not say a word on the "subject."

Fortes fortuna juvat.

PART FIFTH.

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CHAPTER I.

Interview with Lord Elphinstone—Immediate restoration to the Bench of Rajahmundry—Ordered to a disturbed district within the week—Sad state of disorder found there—Settlement of affairs, and return to Rajahmundry—Censured by the Home Government—Endeavour to remove the censure—Placed on Sick Leave—Suspended whilst absent for the fifth and last time.

After my suspension from the Bench at Cuddapah, I refrained, for various reasons, from appealing to the Government, but when I saw what appeared a favourable opportunity, I sought and obtained a private interview with the Governor, Lord Elphinstone. This interview proved most satisfactory, for after entering very fully into all particulars with his Lordship, as shown in the pamphlet referred to at the beginning of these papers; after placing in his Lordship's hands certified copies of the Register's, Mr. Brett's, two letters, and after explaining how that gentleman had been deceived by Mr. Casamajor's "bona fide" certificate, I was offered immediate restoration to the Bench at Rajahmundry, an offer I thankfully accepted. I was further requested to state what could be done to meet my

wishes? At the same time I was marked off for special duty in a disturbed district on the Malabar Coast.

This "bona fide" certificate sent up to Government by the Provincial Court, appeared to me to have induced his Lordship to act as he had done in suspending me. But my explanation, together with Mr. Brett's two letters. appeared to have convinced Lord Elphinstone (at least so I judged from what his Lordship said and did at this time) that this "bona fide" certificate was a vile deception of Mr. Casamajor's. There was not a doubt on this subject on my mind, when taking leave of the Governor. I am confident that up to this hour I was right in my judgment on this not peculiarly interesting, but highly important subject.

The long interview that I had with his Excellency, satisfied me that he had been kept very much in the dark by his Secretaries, otherwise that which had taken place would not have occurred. His Lordship blamed me for not having given a full explanation, and by this means prevented my removals. I resolved therefore to bring to his Lordships attention, the very important letters which I had addressed to the Government, but which the Judges had returned refusing to forward them. I was persuaded that a perusal of these would show, how unjustly I had been treated whilst at Chittoor, and that they would satisfactorily explain the whole matter. I accordingly forwarded direct to his Excellency, copies of my appeals to Government, dated 12th February and 28th April; but I am satisfied that in this act I was guilty of a most heinous offence in the eyes of the Secretariat.

It may be asked, Why stir up this old affair after all was settled? I answer, To prevent the like occurring in future, and

in the hope of receiving some compensation for the deep injury and heavy loss I had sustained.

Six days after joining my station at Rajahmundry, I received a "forthwith" order to proceed to act as Judge at Mangalore, distant 750 miles, across the Peninsula and in the hottest season. This district had been for some time in a sad state of disorder. It had been under the superintendence of a Judge and Collector, who made themselves both very conspicuous by a public and private paper war. The Judge shot himself some time after, and the Collector became a "firebrand" wherever appointed, until he at last worked himself into trouble, together with his two colleagues, and was removed out of the service.

I looked upon this acting appointment to Mangalore as a great compliment, and I thanked his Lordship for it accordingly.

I found that the Mangalore jail had been destroyed by fire, many of the large buildings had also been burnt to the ground, the convicts had all escaped, the Judge had followed their example, the assistant Judge had gone to sea on sick certificate, and the acting assistant Judge fled to Madras. The Register was the only officer left at the station. I was escorted to the Bench by a Sepoy guard with fixed bayonets. This escort I soon dispensed with.

In the course of three months everything was put to rights. The Judge, Mr. G. Bird, returned to his duty, and I went back the 750 miles to my own district, but received no further remuneration for my labours than if I had never been moved from Rajahmundry.

Whilst engaged on my heavy duties at Mangalore, I received through the Madras Government, a copy of an extract from a

dispatch of the Honourable Court of Directors very severely reprimanding me for having "pertinaciously and acrimoniously "persisted in accusing the Judges of the Provincial Court of "Appeal with being absent from their duty, when the Suddr "Adawlut, the Provincial Judges, and the certificate of the "Register, Mr. H. Brett, had all clearly shown this to be a "false accusation." This was in answer to my memorial to be again restored to Chittoor, as shown in Part IV. Is it possible to believe that my memorial had ever been read?

On the receipt of this severe censure, I deemed it advisable not to make one word of observation regarding that part of the record (Mr. Brett's two letters) which had evidently not been forwarded to the Home Government. I thought it more judicious to leave this matter in the hands of superior authority, being thoroughly impressed with the belief that the Local Government, which by this time had shown that it was fully cognizant of the whole matter, would, without delay, place the Home Government in possession of the omitted Record, and many other facts—such as my immediate restoration to the Bench, and employment on the Malabar coast, after I had given satisfactory explanation of my conduct: the Judges also had been reprimanded for being absent and prohibited from being so in future; had this been done it would have caused the Home Government to have removed the censure. But nothing had been done.

On my return to Rajahmundry, after my hard labours, I discovered that I had incurred the great displeasure of Lord Elphinstone, but, as my very arduous duties at Mangalore had not received *the slightest mark* of disapprobation from my superiors, I was ignorant of having given any cause of offence, I therefore

addressed the private secretary on the subject, pointing out the numerous instances (five times) in which I had been superseded during the past few months. The severest punishment a public servant can be subjected to, is supersession. In reply, dated January 22nd, I was informed by the private secretary, by order of the Governor, that I had been superseded on these five occasions in consequence of the Court of Directors having censured my conduct as above shown.

On receiving this information it appeared to be my duty to use my best endeavours, and without further delay to obtain the early removal of this censure. With this object in view, I, a few days subsequently on the 30th January, forwarded a memorial through the Local Government to the Court of Directors.

In this memorial, written in great haste, I not only maintained the correctness of all my former statements made to the Honourable Court twenty months previously, but I also forwarded positive proof of the correctness of my statements, and of the incorrectness of the certificate referred to in the Courts despatch, on account of which I had been censured by the Home Government, and so frequently punished by the Local Government.

I also forwarded certified copies of the Register's (Mr. Brett's) two letters, proving the absence of the Judges and the falseness of the certificate, which letters had evidently not been sent up as requested with my previous memorial, and the retention of which had undoubtedly caused the censure.

In this Memorial I was very reluctantly, but in self defence, forced to give explanations which I feared would give much

offence to my immediate superiors, and bring down upon me their heavy displeasure; for a perusal of this Memorial will show that the stronger the defence was made, the more would many acts of my predecessors, then my immediate superiors in office, deserve to be condemned. A full investigation into this affair will show that this Memorial was instrumental in the abolishing of these Appeal Courts which had been found guilty of permitting such gross irregularities, as could not be reformed.

A few days after the despatch of this Memorial through the Local Government, I was placed on sick certificate; and a few months subsequently, while thus unavoidably absent from duty, and totally unable to defend myself, I received my fifth severe punishment, and was suspended from the Bench, "till the "pleasure of the Court of Directors was known."

This was my last suspension from the Bench, and it was much my most severe punishment, because I was absent on sick certificate at the time it took place. Nevertheless, I worked subsequently for thirteen years, in the highest Court in Mofussel without eliciting one word of disapprobation from higher authority.

CHAPTER II.

Statement in the House of Commons by the Honourable Edward Stanhope —A "Shuttlecock Judge"—Proof that the Government had confidence in the Judge—Proof afforded to the truth of the charges against the Judges— Reprimand given to them—A short and unpleasant interview with the Private Secretary—Experience testifies to the truth of a Latin proverb.

I shall here repeat a question which was put to the Honourable Court of Directors: Can it be conceived possible that Mr. T. A. Oakes could see no impropriety in the transactions of his own confidential servants throughout the proceedings described above; and yet, that this experienced and old judicial servant could discover grounds on the proceedings connected with the sale of Mr. West's property, to have justified him in making a report, which induced the Government to suspend me from office; when a most full and careful review of these identical same proceedings satisfactorily proved to the Supreme and the Home Governments that there was "not sufficient evidence "in these proceedings to justify grounds even for suspicion?

I will conclude with a short extract taken from a memorial to the Honourable Court of Directors, dated January 30th, 1841, paragraph 56, to which I solicit attention:—

"Your memorialist would add one more further plea in "support of his prayer, viz., the opinion now in possession of "your memorialist, given with reference to his first removal

"from the Bench at Chittoor, by the highest judicial authority "in the country, the late Acting Senior Judge of the Suddr "Foujdari, Mr. T. A. Oakes, who your Honourable Court will "admit was better acquainted both publicly and privately than "any other gentleman with the merits of the case, and who was "in no way disposed to judge in favour of your memorialist; and "that is, that, the Local Government have wantonly thrown "upon your memorialist unfounded aspersions, and that justice "demanded full indemnification as it had been proved, 'that "your memorialist had fallen a victim to malignity and "calumny,' and this fact the said high judicial authority has "recommended your memorialist to bring to the attention of "your Honourable Court."

To this opinion the said learned Judge further added that, "The whole of the proceedings in the case had no parallel in "history."

It is impossible to exaggerate the gravity of the above statement, made by such an authority at such a time; and it is to be hoped that full enquiry will in due time be made by persons who will not fear to bring the whole truth to light; and afterwards, that they will receive, in the proper quarter, the attention to which they are entitled. For the punishment I received was very great—I was degraded by suspension from the Bench; proclaimed guilty in the Gazette, and fined on two occasions to the amount of 100,000 rupees.

Whilst writing these reminiscences I have very reluctantly dwelt more on my suspensions than I imagine will be agreeable to the reader, but I must beg to be excused for I find myself very similarly situated here, as I found myself some few months ago, when writing in answer to a statement made

by the Assistant Secretary for India, the Hon. Edward Stanhope, when in the House of Commons, General Shute had called attention to my case. The Hon. E. Stanhope's statement was that, if his "gallant friend knew all the facts of the case, "he would not be induced to press it further." I was not aware what the facts were to which the Hon. member alluded, and was consequently, after waiting some time, in the very distant hope that these facts would be pointed out to General Shute. Obliged to review at considerable length every act which I considered at all likely to have attracted the attention of the Honourable Secretary. In like manner here I do not think it advisable to omit explanation of even one circumstance of any importance. The reader will therefore I trust excuse a little prolixity.

It would occupy too much time fully to show the deep injury sustained by these numerous suspensions and equally numerous supersessions, which gave to me the soubriquet of "the "Shuttlecock Judge." It would have been better for all parties to have removed me into another line in the service, than after thus degrading me so frequently as a Judge in the eyes of the public, to keep me employed in the Judicial line, holding most important offices. For had I deserved the punishment, and the character which my powerful enemies for several years so earnestly sought to fix upon me, these appointments to high and important situations, would each of them have been acts of public oppression. The passionate, the factious, and the corrupt, are equally unfit to dispense justice: and since the more suits an unjust judge disposes of, the more illegality is sure to be committed; it follows that by my having been nominated on more than one occasion to stations where the duty was both onerous and severe, Government had either punished the

unoffending community, or decisively absolved me from every imputation of unfitness. The latter conclusion is not only in accordance with all the facts of the case, but it is the inevitable result of an impartial review of my long and arduous 40 years services.

Some time previous to this fifth punishment, I had received intimation from a member of Council that I had caused much dissatisfaction to his Lordship the Governor, which he supposed was given in my private interview regarding this certificate. It must be observed that the word "official" in this certificate was what had caused all the mischief and my late troubles at Chittoor. It was this word, which for a short time blinded the judgment of the young Register, Mr. Brett, *and induced him to comply with the personal request* of the old Judge his superior, and sign the document that Mr. Casamajor had drawn up. And it was now supposed by friends, from the private information received, and more specifically from the Private Secretary's letter of the 22nd January, that his Excellency had totally changed his judgment regarding this certificate, and now held the same opinion regarding it, as the Register, Mr. Brett, did—for about the space of an hour after he first saw the rough draft and placed his name upon the paper. *To this supposition I could not agree,* for, if I did, how could I account for Lord Elphinstone's act in thus superseding me, by placing over my head five junior officers, for the reason the private Secretary assigned. It must be borne in mind that every one of these juniors his Lordship had passed over when he sent me to Mangalore only a few months previously, and when he stated in the minute of appointment, that he had selected me (a servant then suffering his fourth suspension) as a suitable Judge to be sent to that distracted district. His Lordship must at that time

have held the very contrary opinion from the Court of Directors regarding my statement of the absence of the Judges; whilst by this act of his Excellency superseding me, he appears entirely to acquiesce in the Honourable Court's opinion as to the correctness of the reprimand.

The first impression on my mind on receiving the Private Secretary's letter of the 22nd January, was that Lord Elphinstone *never could have dictated* what the Private Secretary stated he had done, and that there must be some mistake. For when I called to remembrance all that had taken place during our private interview, when I proved to his Lordship that he was an eye witness to the truth of my accusation against the Judges; also, when I remembered that Mr. Casmajor had been called upon by Government to explain his meaning, when he stated that as soon as it was brought to his knowledge (*"official knowledge, I presume"*) that the Judges had been absent, but had placed their names as if present on the proceedings of the day, he had "put a stop to the practice." Again, I knew that the fact of the absence of the Judges had been admitted, when the Government issued a reprimand to them and they had set up, in extenuation of their absence, that they were working in their own houses (which were not at Chittoor). These alone, apart from other facts which had been brought to the attention of Lord Elphinstone, must have clearly shown to his Lordship that my statement as regards the absence of the Judges, which I had been *forced* to bring forward in self-defence, was strictly correct, and therefore that the Court's reprimand was improper.

If dates are examined, some of these supersessions will be seen to have taken place before the reprimand from the

Honourable Court was received by me. I therefore entertained, as before stated, a very strong suspicion that some great mistake had been made by the Private Secretary. The statements that I had just given made me confident that his Lordship's displeasure with me arose from a very different cause, which I will here relate.

I had a short interview with the Private Secretary, Sir W. Elliott. I was not received by him in a manner that I had every right to expect, for I was very sharply asked what induced me to send up direct to Lord Elphinstone copies of the two appeals that I had made to Government about my removal to Cuddapah, the same appeal which my superiors had refused to forward? To this question—asked in rather a dictatorial manner—I made no answer. The Secretary immediately added in a like tone, "Lord Elphinstone knew nothing about *your* Cuddapah," and at the same time threw out an insinuation that a statement I had made in these letters about Cuddapah was not correct. I rose, but before leaving I gave to the Private Secretary the names of two gentlemen who could prove my statement correct, which he had referred to as not true, viz., John Dent, Collector of Arcot, and Alexander Mackenzie, of Arbuthnots House.

This interview, which only lasted about four or five minutes, fully satisfied me that my forwarding direct to Lord Elphinstone the copies of the two appeals I had made to Government, which the Judges had returned, refusing to forward, was the true cause of his Lordship's displeasure with me. It also showed that the Private Secretary was likewise offended at what I had done. I had been taught by experience that if these documents had been sent through

the regular channel, they would most probably never have been seen by his Lordship. If they are now ever brought to light, the reason of this great displeasure of his Lordship will be manifest, but that displeasure should have been directed against my superiors, for these papers clearly show that the Government had been made a tool of by the First Judge of the Suddr, Mr. T. A. Oakes, and the Chief Secretary, Mr. H. Chamier, in removing me to Cuddapah.

It may here be observed that all the reports to Government which it has been shown effected my two removals from Chittoor and one from Cuddapah, were all of them written by the same Judge, namely Mr. T. A. Oakes, Judge of the Provincial Court, Centre Division, then Acting Judge in the Suddr; Mr. T. A. Oakes being the only Judge present in the Suddr Fonjdari Court, when these reports were sent up to Government.

The private interview I had with Lord Elphinstone, gave me reason to believe that his Lordship would have been gratified by the confidence I had placed in him, in thus forwarding these papers; for I clearly understood from his Lordship that he considered me to have erred in not having given at the time the explanation I had then offered. But what had subsequently taken place, showed to me that I had over-estimated his Lordship's character, and that even with a Lord, and that Lord a Governor, the Latin proverb had proved correct—"Proprium "humani ingenii est odisse quem læseris."

CHAPTER III.

Interviews of Mr. Casamajor with the Governor—A "genuine jesuitical production"—Mr. Casamajor's legacy and confession of error—Inefficiency of a public servant at Mangalore—Abdool Khader and his removal—Charge of capricious and unjust conduct—Strange act of the First Judge, Western Court.

In this year Mr. Casamajor had been appointed First Judge of the Suddr, he had frequent interviews with the Governor. Now I well knew that Mr. Casamajor was deeply interested in everything relating to this certificate; he had drawn up the original: he had personally persuaded the Register, Mr. Brett, to sign the certificate, which he had at first objected to do; and he had been told by a friend, not in the service, that it was a "genuine jesuitical production." I, moreover, well knew that I had a very serious difference with Mr. Casamajor on a religious subject, and in addition to this, that I had given serious offence by my officially objecting to the manner in which he allowed the duties of the Provincial Court to be performed by a few totally incompetent and irresponsible Omeedwas in his own private house, separate from the establishment, who from having been prohibited holding any communication with the regular establishment, caused endless altercation and great jealousy between all parties, as is clearly shown in my return of the 30th July—the one which caused my suspension from the Bench; hence I had reason to believe that I had no

friend, at that time, in Mr. Casamajor. It is very true, as is well known, that a great change took place in his feelings towards me shortly afterwards, and that on his death bed to a very old private servant of mine, he left a handsome legacy and an English horse; he also then confessed to Dr. Gündart, a friend of mine, more than one error which he had committed at Chittoor.

An explanation of this last suspension I must here give. About one year previously I had acted as Zillah Judge at Mangalore, where I found the Court in a state of great disorder. No dependance could be placed on Abdool Khader, the nominal head ministerial servant, or Sheristadar; he had long been found to be quite incompetent, and an irresponsible servant had been in charge of the treasury and accounts, that is, one who had given no security for good conduct.

The experience I had recently gained by the Chittoor Zillah Court treasury having been plundered, through the like incompetency of a Sheristadar, convinced me that my duty in this case was to place a competent responsible person in charge of the treasury and accounts, this man, Abdool Khader, could not even read the accounts. But, as I was only acting for the absent Judge, it appeared advisable to bring the matter to the attention of this gentleman. The answer I received may be summed up in a few words, viz., that "nothing could be done "of greater benefit to the service and to the Court, than to "remove Abdool Khader out of it." When this was about to be carried into execution, and I had given the order to remove this man, my attention was called to the records of the Court, where I discovered that the three previous Zillah Judges in this Court had each of them given the same order, but that on each

occasion this Abdool Khader had been replaced by the Provincial Court, in the same situation from which these three Judges had removed him. This induced me to alter the order given, into one of removal into the Register's Court, on the same salary, as suggested by the Register.

By this alteration it was the opinion of the First Judge of the Provincial Court, and of the Local Government, that I had acted capriciously and unjustly, and this act caused my suspension as shall be shown.

The report upon the proceedings did not go up from the Western Provincial Court to the Suddr Court until about one year after Abdool Khader's removal had taken place. The cause of this delay was a decided difference in opinion on this subject among the Western Provincial Judges, where the matter had its origin. The Third Judge seriously objected to this report, which ought at that time to have closed the matter; and it was not until this 3rd Judge had proceeded on his six months tour of circuit, and consequently in his absence, that the report was sent up to the Suddr Court. The Third Judge here referred to had been promoted from the Mangalore Zillah Court to the Western Provincial Court, and was the gentleman for whom I had been acting, and who had so strongly recommended the dismissal of Abdool Khader from his Court, as above stated.

I had previously to this been charged with great severity towards public servants, and this report was forwarded by the Western Court to the Suddr Court, at a time when my conduct was under consideration regarding two servants similarly situated as Abdool Khader—namely, Mutial Naick and Lutchminursoo, who had also both been the private servants of the First Judges

at that time in the Suddr Court, as has already been shown; and this was adduced to Government by the Suddr Court, as proof of the charge at present preferred against me, of severity to servants. This act did not succeed in shielding either of these two servants from a severe punishment, but it caused my suspension, and a loss of 50,000 rupees, although afterwards fully acquitted by the Honourable Court of Directors.

But as the Suddr Court and the Local Governments considered that "capricious" and "unjust conduct" with other "improprieties and irregularities" were observable in these proceedings, I was called upon without being allowed to see the report against me, for an explanation, at a time when it must have been well known to Government, that I was deprived of all power of giving a satisfactory one, being absent on sick certificate. The explanation rendered under these circumstances not being considered sufficient, the Local Government suspended me from the Bench "till the pleasure of the Court was known;" *and then forwarded all the particulars of this suspension* to the Honourable Court of Directors, *together with my Memorial, which had been for months kept back by the Local Government.* This retention of my Memorial was a serious attempt to injure me, but it signally failed.

It was my misfortune to live in perpetual contact during a few years of my long service, with five of the Higher Judges whose proceedings I felt it my duty to oppose, and whose Courts were shortly afterwards all abolished. I had been on five occasions removed and suspended from the Bench, and this on account of my opposition to them. Of these five Judges, two came to a sadly disastrous untimely end; the third gave a judgment reversing his former one against me, and asserted that I had

fallen a victim to malignity and calumny; a fourth left a valuable legacy to an old servant of mine, and when dying expressed sorrow for the opinions given by him adverse to me, at Chittoor. The fifth was dismissed the service to the surprise of all, for he was brother-in-law to the Chairman, and had an appointment to the next seat in Council, in his pocket, at the time of his dismissal. After the Commercial Residents had been done away, the Appeal Courts became the invalid establishments of the service.

The Local Government knew years previous to removing the First Judge of the Western Court from the service, that he was very unfit for any duty. It would take a volume to show a tithe of the very strange acts to which this officer had been long addicted, occasioned by giving way to ungovernable acts of passion. The placing of an ignorant private servant at the head of the Court of Mangalore when he was Zillah Judge, and forcing him back on so many occasions when he was in the Upper Court, will prove this. If all was made known regarding this act, it could hardly be believed. Nothing, except the screen behind which he worked, could for a day have kept him on his seat on the Bench.

I had the honour of a few days' visit from the Honourable Dudley Fortescue, on his return from the Punjaub wars, where he had been escorting the Prussian Princes. A more agreeable, a more perfect gentleman I never met. I persuaded him to pay a visit to the Gursepah Waterfalls, making all the necessary preparations, and accompanying him part of the way. I had, in order to keep an engagement, and to meet at a Bison drive, to break off at right angles in the midst of these dense forests, and strike inland through several miles of teak jungle. In my

scramble through this wilderness, I came upon the jungle residence of George Larpent Smith. This was as perfect a Robinson Crusoe hut as could possibly have been erected.

I had been for a long time desirous of seeing Mr. Smith, but had been equally as unsuccessful as others, on this occasion I also failed. Mr. Smith was either "not at home," or he did not wish to appear. I took a good look at his abode, but it is not in the power of my pen to give a full description of it. He had an unlimited command of the best wood for building an extempore dwelling. The "Illustrated London News" was spread in rich profusion on the walls, for the edification of the native. Numerous horns of the buffalo and of the elk were placed around; and innumerable skins, amongst which, some of the finest black lions I had ever seen.

After my labours at the Bison drive, I pressed diligently back to my duty, and to receive my friend on his return from the Falls. Mr. Fortescue appeared greatly interested in what he had seen there. He read me the notes he had taken: they were good and not overdrawn. I gave the traveller a letter to the Collector of Calicut, 250 miles distant, where he was received by Mr. Connolly. I had satisfactory letters of his arrival from Mr. Connolly; which were the last I ever received from him, he was soon after murdered in his wife's arms.

There was *one* anxious that I should not lose sight of George Larpent Smith. It was some time before I had the opportunity of seeing him, but a charge was made against him of having struck a man. A Justice of the Peace could alone take cognizance of such an act against an European. The complainant had therefore to come to the Judge. I shall here state who George Larpent Smith was.

Mr. Smith was the nephew of Sir George Larpent, he came out to India as a cadet under great promise. He was posted to the 14th Regiment of Native Infantry, with a number of other young men. A quarrel took place among them, and a court-martial was the result. Smith was the one charged. During the time the papers were with the Commander-in-Chief, some one persuaded Smith to tender his resignation, which he did. It was accepted, and Smith escaped into the heart of the Malabar forest, where he remained living a regular Robinson Crusoe life for four or five years. He had become a celebrated shot, and killed game for all who desired him. The large black male lion monkey was his favourite sport, because a good skin sent in to Cananoor would exchange for much powder and shot and some tea.

In consequence of this charge, Mr. Smith was summoned to attend Court. He did so. Seeing his head and shoulders above the crowd, I sent a Peon to call him to where a seat was placed for him near the Bench. Having allowed him to sit for a few moments, I called him up to my side and informed him that I should not be able to enter into his case to-day, and that he need not wait. I added that I should be happy to see him at dinner at 5 o'clock. His face brightened up, he dined with us. The long desired object was here achieved. Next day he appeared at Court, but there was no prosecutor. I had sent a Vakeel (lawyer) to make enquiry concerning the matter; he reported that it was an insignificant affair. I told him to try if two rupees would satisfy the complainant; and if so, to pay them, and there the matter ended.

After this I frequently met Mr. Smith, and became much interested in his behalf. During his long sojourn in the forest,

he had studied with much care and assiduity two of the Oriental languages, making himself perfect master of them both. He continued to study for some time after this, until a Native Judgeship fell vacant, when I urged him to go up, and stand the competitive examination required. The consequence was, he passed the examination most successfully, and gained the desired post, being appointed Native Judge under me. Mr. Smith was a few months afterwards asked upon a visit to Ootacamund; he was there married out of my house to a very suitable person. Not long after Mr. Smith's marriage, he was offered promotion,—"Conservator of the woods and forests." This appointment he accepted; all this gave great satisfaction to *one* who had long had her compassionate eye fixed on George Larpent Smith.

When approaching the close of these "Reminiscences," I am anxious to say a few words in hopes of drawing the heart of the reader towards those poor neglected, ignorant inhabitants of that benighted land—India; the brightest gem in Victoria's crown; a land which I wish I had never left. My desire is by exhibiting a few examples of the state of religious feeling, not of the refuse of society, but of the better, or middle class, thus to call forth the prayers of believers on behalf of the many millions of the Queen's heathen subjects, one of which is supposed to perish every second of time.

The Medical Officer at Hoonore had a servant whom he trusted with his affairs. He was able to write and read two languages. This servant was detected in robbing his master of several Bank notes. The evidence was complete. The Doctor informed his servant that he should go to the Magistrate to have him punished. The servant upon this started for his "Swammy

house," and having laid hands upon his god, he addressed him thus:—"I trusted to you to preserve me from being detected, "but here I have been found out; you therefore have not been "a good god to me; I will not have anything more to say to "you." Upon saying this down he threw his late Swammy into a ditch, amongst thorns and briars, and went back to his master expecting to be punished. His master in the mean time had gone to the Magistrate with the circumstances of the case, and had been persuaded, as it was a first offence, to pass it over with a reprimand. No sooner did his master inform him of this, than off started the servant to the bramble bushes to get his Swammy out of trouble. After some little difficulty he succeeded in finding his Swammy, and placing him once more in the mud hole in his wall: exclaiming "You have been a "good Swammy to me in obtaining my release, therefore I have "favour upon you."

* * * * * *

The captain of a native trader was engaged by me to carry my family and property down the coast to Calicut, for the sum of fifty rupees. On the day on which all the necessary preparations had been made for sailing, and my wife and fifty native servants were about to go on board, the captain brought back the fifty rupees, requesting me to let the agreement be at an end, as he "could not allow "my servants to cook rice in his ship, for if he did, he "should never get a fair wind, and damage would result to his "ship." What was to be done, for everything was ready to start; an idea struck me, I told the man that I would not allow any of my servants to cook rice in his vessel; I would order them to cook in the small boat which was carried by the larger one. This satisfied the captain's scruples, he made a deep

salaam, and all proceeded on their voyage, the captain telling the crew, "that all was right now."

Two gentlemen were standing upon a bank at the side of the road, up which was marching a musical procession. As it approached, a difference of opinion arose between the two lookers-on, as to what the procession was, a Roman Catholic, or a Hindoo one. The fact was, one of the two gentlemen was a Romanist. The difference in opinion caused a bet to be taken, but how was the bet to be decided? By referring it to the "big man" heading the procession, who was a professed Roman Catholic. When he came up he was accordingly asked, "which of the two religions the procession represented." After a second's consideration, he replied, "Which ever master like."

CHAPTER IV.

Unfulfilled promise of Lord Elphinstone. Full acquittal from the charge of improper conduct. Three opinions on my case. Neglected opportunities. Painful circumstances owing to unjust suspensions, and neglect of promise of redress.

On the 27th July, I received a copy of the Honourable Court's despatch, under date 27th April, accompanied by a very short observation from Lord Elphinstone, the Governor, stating that, "under the opinion expressed by the Honourable Court on Mr. "Lascelles' case, a convenient opportunity would be taken of "re-employing him in the public service." This promise of re-employment was never fulfilled; neither party could have expected it, after all that had been received by Lord Elphinstone from the Home Government; and after sending to his Lordship the copies of my returned appeals.

I was suspended by the Local Government on two charges. The first, "capricious" and "unjust conduct" in having "on insufficient cause," suspended Abdool Khader from office. Secondly, "interpolating the diary by substituting a second "order to conceal the first, with the view to support his (my) "defence of his (my) conduct."

Regarding these charges, the Honourable Court observes:— "It is very satisfactory to us that we have found ourselves

"justified in coming to a more favourable conclusion than that "on which you have acted. Irregular as Mr. Lascelles' "proceedings were, regarding Abdool Khader's suspension, it "does not appear to us that there was any alteration of the "record of these proceedings with a view to misrepresentation or "concealment." Again, "Whatever irregularity may have "occurred with regard to the entries on the diary, it is "evident that they were not meant to conceal or misrepresent "the facts of the case." Again, the Honourable Court points out positive proof, from dates on the record sent up by the Local Government, that the charges against me could not be just or correct when the Local Government accused me of falsification of the record for the purpose of concealing my acts and supporting my defence; because—after entering into full detail and giving dates—they make the following observation in order to prove this :—"*It deserves notice that the first explanation called for "being a fortnight after the diary had been made up with the "alterations.*" Once more the Court observes, and as if tired with their own observations they borrow from Mr. Lavie (by whom the depositions on the subject were taken), and who remarks :— "that the proceedings of the Acting Judge, Mr. Lascelles, could "hardly have originated in malice, ill-feeling, or any other improper "motives, as he only took charge of the Court on the 5th June, "and the alleged offence of the Sheristadar occurred on the "23rd," and Mr. Lavie goes on to report 'that much allowance "should be made for the peculiar situation of the Acting "Judge;' and then, in conclusion, the Court remarks, 'that the "circumstances of the case are not of a nature to disqualify Mr. "Lascelles from employment in any line of the service; and we "shall be glad to learn that this opinion is justified by his future "conduct.'"

There are certain characteristic points of resemblance between Abdool Khader's case and that of West's sale.

In each case I was suspended for about two years from office; in each case I incurred a loss of about 50,000 rupees; and in each case was finally acquitted. The "capricious," "unjust "conduct," and "harshness" of which I had been accused in the former, vanished without any defence before the evidence which was laid before the Honourable Court of Directors,—evidence which showed that the three previous Judges of the Mangalore Court had, for the good of the service, and in self-defence, each of them dismissed from the service, this same Abdool Khader. Not a word of fault had been found with any of *them*: whilst I had only removed him to do duty in the Assistants' Court without any loss to him. The capriciousness, the injustice, and the harshness with which I was charged were certainly "not proven," they could but fall to the ground, and the attempt to "support authority" throughout the dispatch of the Honourable Court of Directors becomes extremely weak, and may be said to be summed up in three words,—"Harshness to servants." This accusation was no more justifiable than the reprimand I received for falsely accusing the Judges of being absent. The one had no better foundation than the other. Both had been derived from the records of the Foujdari Court. I shall here quote a paragraph from a letter I addressed to the Marquis of Salisbury on the subject:—

"This dispatch, after disagreeing with the Local Government "on the truly essential point, censured me for great 'severity to "public servants.' Here again this statement is grounded upon "the reports of the Provincial and Suddr Judges, but an examination of subsequent minutes of Council, will show that

"every one of these cases, to which the Honourable Court "referred—and there are seven—were by the Local Government "taken out of the hands of the duly constituted authorities, the "said Courts, and were referred to Commissioners specially "appointed, with instructions to report direct to Government; "and on receipt of these reports, the Minutes of Council will "further shew, that every sentence passed, and every judgment "given by me, was approved and confirmed by the Governor "in Council."

When this accusation was received, the record of the Court I had been working in was appealed to, the diary during eight years showed only one punishment inflicted by me on servants, and that was a fine of one rupee.

There is another point of coincidence which is striking and important. In both cases I had given, most unintentionally, just previous to each of these two suspensions, very serious offence to the two Governors, Sir Fred. Adam, and Lord Elphinstone. There is positive proof of this in the proceedings, and the facts stated on the record prove everything relating to these two important facts. These can only be brought fully to ig ht by a public investigation; no private statement can have any weight. This is what has prevented my claims from receiving due attention. This has been felt and truly expressed by some of my most highly esteemed friends.

Here are the words of an old Indian officer, in a letter addressed to me:—"I have read your case with feelings of deep "and melancholy interest * * * Most sincerely do I hope "that you may eventually obtain redress, altho' I fear that the "Government, as is commonly the case, will throw the ægis of

"its protection over subordinate governments, however blame-
"worthy, at the expense of injured innocence. In this view of
"the matter, a worse case than yours would probably have
"better chance of success. I am much grieved that in the
"vale of life, you should be called upon to undertake a task so
"painful."

The second is from a celebrated writer in the English press:
"I have been reflecting much on your case; my opinion is, that
"the Government recoils from examining into it from the con-
"sciousness that to re-open it would be to call forth revelations
"most damaging to official personages; and therefore, discredit-
"able to British rule in India. * * * Your history is more
"like a story of the old *regime* of France than one of English
"life: it recalls times when honourable men were sent into the
"Bastille, or led gagged to the scaffold, lest the truth should be
"known."

These two opinions are given by two persons still alive; bear with me whilst I give a third opinion; but I regret to say that the writer has been called away.

"In justice to a man who has been most grievously misrepre-
"sented, and against whom charges alike injurious and utterly
"groundless have been brought, I feel it a duty to truth and
"Mr. Lascelles, deliberately to express my judgment, which is
"this, that the more his case is sifted the more clearly it will
"be seen, that what the First Judge of the Suddr Udawlut
"stated was correct; when he said, even in the early part of
"these proceedings, that justice demanded full indemnification,
"for it appeared to him (the First Judge) that Mr. Lascelles
"had fallen a victim to malignity and calumny."

Although these instances in the two suspension cases above referred to, do strongly resemble each other, there is a vast difference in the manner in which I was treated by the two Governors, when the Honourable Court of Director's pleasure became known. True, in both cases I was placed under suspension "till the pleasure of the Court was known;" on Sir Fred. Adam receiving the decision of the Court, I was immediately restored to my appointment, and to the same allowances; whereas, on Lord Elphinstone's being informed by the Court of Directors that it would give them "pleasure to see me again "employed *in any* line of the service," all his Lordship did was officially to give a promise of employment, which he never fulfilled, although he had numerous opportunities. In this latter case, that is, Abdool Khader's, I was not restored to the same allowances from which I had been removed, till twelve years had elapsed, although working all that time in a higher grade. During these twelve years, had I not been suspended in Abdool Khader's case, I would have drawn an allowance of not less than £150 per mensem in excess of what I did draw for my services.

I have through life been called on very many occasions to give a judgment. I venture one here on these two cases—West's sale case and Abdool Khader's. If ever an impartial Judge is called upon to decide on these two cases, the judgment he will give will be more in my favour in Abdool Khader's case, than even that which was given in West's sale case by the Supreme and Home Governments, great and satisfactory as that was. And this cannot be wondered at when it is remembered that the same hand which drew up the report to Government in Abdool Khader's case (who had been his own private servant for years),

and thus caused my fifth suspension: that same hand, a short time after doing so, took away his own life, an act long foretold by the man best able to give an opinion on this matter—his medical adviser.

One word in conclusion. Lord Elphinstone had many opportunities of making the Honourable Court of Directors "glad," but he wilfully neglected doing so. It would have required the Supreme Government, with Lord William Bentinck's honest eye watching over his proceedings, as in the case of West's sale, to have made Lord Elphinstone do his duty, and render me justice.

A few weeks previous to Lord Elphinstone's quitting India, a friend called and informed me that I might depend upon immediate employment. He stated that the painful circumstances in which I had been placed, during the last six years, viz.:—my suspension from the Upper Court—my suspension of two years on West's sale case—my eighteen months suspension when on sick certificate after the heavy labours at Mangalore—the great losses I had sustained by my two removals from Chittoor, and afterwards from Cuddapah—and my heavy family expenses during that time, these had all been made known to Lord Elphinstone, the consequence was that his Lordship had promised immediate employment, but this promise was never fulfilled.

When I look back on my wrongs, for they were heavy, I feel confident that no one who has done me the justice to reflect upon them, will charge me with impropriety of conduct, if I at the close of the Fifth Part of my "Reminiscences," recal to remembrance the Latin proverb I have before quoted—

"IT IS THE NATURE OF MAN TO HATE THE PERSON HE HAS INJURED."

PART SIXTH.

—o—

CHAPTER I.

"Night wanes! the vapours round the mountains curled
"Melt into morn, and Light awakes the world.
"Man has another day to swell the past,
"And lead him on by little to his last."

BYRON.

o o o o o o

Change of Governors—Restoration to the Bench and appointment to the new Appeal Court—Unsettled state of India—Trial and execution of a Mussulman Sepoy—Promise of the Marquis of Tweeddale to do me justice—Unfounded charges against Vinkiah—An anonymous petition—Mr. Babington's animosity and accusations against me.

His Excellency, Lord Elphinstone, has embarked on his return to England; the Marquis of Tweeddale has been sworn in Governor of Madras; he has by order of the Home authorities abolished the old Appeal Courts of Judicature; he has replaced me on the Bench, and likewise appointed me to establish one of the New Courts of Appeal at my old and favourite station Cuddalore, where I had established some years previously an auxiliary Court. I performed the duty of a Judge for thirteen

years in the Court of Appeal, and during that period I never received from those above me, one word that was unpleasant.

At the close of a year, the Court at Cuddalore having been fully established and working satisfactorily, the Marquis of Tweeddale deemed it his duty to send me to the Malabar Coast. I was appointed Session Judge at Hoonore. My labours there were *most arduous*, I had no assistant and only a small judicial establishment compared with other Courts.

At this time India may be said to have been in a state of suppressed ferment, especially as regards the feelings of the Sepoys; and various opinions were entertained on the subject of their tendencies.

About the first act I had to perform at Hoonore, was the trial of a Mussulman Sepoy, charged with having shot his commanding officer. The trial was a long one, as everything was done to obtain the prisoner's acquittal. The Suddr Ameen Mufti, who sat as Mohammedan Law officer, along with me, on the trial, as a matter of course brought in a verdict of "not guilty." I could not agree with him. The case had in consequence to be referred to the Foujdari Court at the Presidency. After a little delay, the Upper Court confirmed my judgment, and sentenced the man to be hanged. This was carried into effect without a day's delay, and the man was hanged in my presence, and in that of many thousands of his tribe. I needed not the Mufti to inform me that I had done rightly, in the present state of the country, not to permit any delay in carrying out the sentence, how painful soever the duty laid on me.

I found the condition of Hoonore, in many points of view, very unsatisfactory. I addressed the Suddr Court on the

subject, but received no answer. About the same time I appealed to the Honourable Court of Directors demanding a compensation for my unjust suspensions. In reply to this I received a written promise from the Marquis of Tweeddale, through the private secretary, Dr. White, that "The Marquis "would do me justice," and returning the Memorial. I rested upon this promise, but justice was not done to me.

Soon after I had received this promise from the Marquis a report was circulated, that as a refusal had been given by the Court of Directors to pay me my salary during my suspension, according to the long-established rule, to common justice, and the practice in both the services, I had paid myself and taken out of my Court treasury the amount I had claimed.

It was at this time discovered on examining the treasury, that there was a deficiency in the Zillah Court Cash chest about equal to the amount I had claimed, viz: half a lac of rupees. I heard of this report privately from various quarters, but I treated it with contempt, so far as I was personally concerned, since I had received no official communication from Government on the subject. Up to a very late date it had always been the rule for the Judge to have the charge of the Treasury, and to be held answerable for the cash. For this reason the Court of Directors, but not the Local Government, laid the blame of the loss sustained entirely upon me. But this was not just; for the charge of the Treasuries in all the Courts had been made over to the Registers some time previously, by order of the Local Government.

For a long period I rested in hopes that the Marquis of Tweeddale would fulfil the promise he had made. At last, after a delay of many months, I received information that there had

been before Government *two very serious charges* against me, which had prevented the Governor from keeping his word. The Commissioner of Darwhar was the friend who gave me this information. This gentleman was frequently on hunting excursions on the Neilgherry hills with his Lordship, and had many opportunities of conversing with the Governor, my family being often mentioned, as they hunted with my son's Fox-hounds.

I no sooner received this information than I addressed the Marquis of Tweeddale personally, and *urgently requested* his Lordship, if anything had been brought to the attention of Government injurious to my character, in justice to allow me to know it. The friend above referred to also solicited the Marquis to the same effect, The consequence was, that a copy of a report, made by the Commissioners appointed by Government to report on the state of the Chittoor Treasury, was immediately officially forwarded to me, with instructions from Government to submit any explanation or observation I might be able to give.

It must here be observed that a few months before this report was sent into Government, Mr. W. Babington, the Judge of South Arcot, had dismissed from office a servant of the name of Vinkiah, because he "had heard that this Vinkiah had followed "Mr. Lascelles from station to station, had been employed by "him in the best paid situations at Chittoor and other stations, "and had there pursued a system of intrigue and corruption."

This charge, made against me by Mr. Babington, demands attention. It may be said to contain the following three separate counts:—

1st.—That Vinkiah followed me from station to station.

2nd.—That Vinkiah was there employed by me in the best paid situations.

3rd.—That he in these situations pursued a system of intrigue and corruption.

I have proved in full detail, in my report to Government, dated 29th April, 1848, that there is not one word of truth in any of these three statements; this, the Government afterwards saw, might have been easily ascertained, from the records of the Suddr Court, without applying to me.

With regard to Count No. 3, every charge made against any servant must be entered on the records and duly reported to higher authority. Now, during the twenty years of Vinkiah's service, there stood two charges against him; one, is that referred to in what is termed the "Cato Street Conspiracy:" the second is contained in a petition presented by a "very respectable native" to Sir Fred Adam, when out riding. Sir Fred having examined the same, deemed it necessary to order a Commission, to enquire into the truth of its contents. It contained a charge against Vinkiah, which Mr. Casamajor, who was appointed Commissioner, reported as false. Government then ordered the petitioner to be punished. Mr. Casamajor reported that there was no complainant, that the petition was anonymous. Government then ordered a reward to be offered for the discovery of the writer. The reward never was claimed, but nothing could have been more clear. Peermal, alias "Thistlewood," was the writer of this petition. By comparing the handwriting of this petition with the fragments of the torn-up paper written by Peermal, which had been copied by Alexander, and also the letter to Mr. Cator of the 10th April, on the subject of West's sale, the evidence will appear complete

I have given this second instance of "meddling incapacity" and injustice, in order to show the power possessed by the two merchants, Chocopah and Namasavoy Chitty, Peermal's patrons on several occasions: the same party reported by me to Government, as being at the root of all the mischief at Chittoor in 1834.

Mr. Babington's report to the Higher Court would unquestionably soon be brought to the attention of the Court of Directors; and there cannot be a reasonable doubt but that this dismissal of Vinkiah in South Arcot, and the reason given for it, also soon became well known in North Arcot, where the Chittoor Zillah Treasury Commission was at that time sitting. It must be kept in remembrance that Vinkiah and Mutial Naick had long been antagonistic. Now if dates are examined, and this report carefully compared with Mr. Babington's report dismissing Vinkiah, strong presumptive evidence will be discovered, that the Chittoor Treasury Commission after two years labour and total failure in discovering the real plunderers of the Treasury, eagerly resolved upon making "a scapegoat" of Mr. Babington's dismissed servant Vinkiah. For in the Commissioners report they charged Vinkiah "while he was "servant to Mr. Lascelles and Sheristadar at Chittoor, with "having plundered the Treasury, and to conceal the act, with "having destroyed the record:" this is almost a copy of Mr. Babington's letter dismissing Vinkiah, and was precisely what the new Sheristadar, Mutial Naick's son-in-law, was striving to accomplish.

On receipt of these reports from Government I applied for certain records to enable me to give the explanation called for. I was at this time 600 miles from North Arcot, where the acts referred to had taken place twelve or fourteen years previously.

Government directed all the record asked for to be supplied; but, placing little dependance on this order of Government ever being complied with, and the record sent to me as ordered, I undertook to furnish Government immediately with an explanation which I felt confident would be satisfactory, without waiting for the record. And this I did, without loss of a day, and at considerable length. The Government order was never obeyed, no record was sent to me; my reply was considered so satisfactory, that I was informed that no further explanation was required from me, except to point out who this delinquent was I had referred to as having plundered the treasury on so many occasions. This was accordingly done, and evidence to the truth of every word of my statement was forwarded at the same time. There ended, so far as I was concerned, the affair of these two charges referred to by the Marquis. I must here observe that I pointed out to Government, amongst other things, how grossly deceived Mr. Babington had been, and how directly contrary to all rule and practice, he and the Suddr Judges had acted, for he had placed in the situation that Vinkiah had held, as second English writer, a man well-known to the Judges and to Government, by name Peermal. This man was number three of the four conspirators in Wests' sale case. He was the man who wrote the letter of the 10th April accusing me to Mr. Cator, the Registrar, he had been dismissed from his appointment by me and had complained to Government; he had been tried by a Commission on two occasions, and had twice been declared "worthless," unfit "for any occupation, and without "one testimonial of good conduct." He is the same man, who in the "Cato Street Conspiracy" affair, as it was called, acted the part of Thistlewood, chief conspirator, and tore into pieces the petition which Alexander had drawn up, and was

in consequence, by the express order of Government, a second time dismissed the service.

In justice to Vinkiah, I will here state that he was, from the date of his dismissal, employed by the Commissioner, of the Northern Circars, Sir W. Elliott, on a salary double the amount of that which he had formerly received, and for many years afterwards gave great satisfaction.

A question that will certainly be asked is this: On what grounds did Mr. Babington, contrary to the rules of the Service, dismiss a servant of twenty years' standing, in possession of twenty-five very excellent testimonials, both as to ability and character, from members of the Service, when *no charge* had ever been made against this servant? Why did the Suddr Judges allow him to be dismissed? All that could ever be elicited from Mr. Babington was that he "had heard." But, again, what caused my name to have been so peculiarly and pointedly referred to in this report to Government? Mr. Jordan, head of Mr. Babington's office, reported that no charges had ever been made against Vinkiah or myself.

The first intimation I received regarding the removal of Vinkiah, was from Mr. Jordan. He expressed great regret, as Vinkiah was a most useful servant. Mr. Jordan requested me to intercede with Mr. Babington for Vinkiah: but, on being informed why I could not interfere in this matter, he pointed out to Mr. Babington the difficulty attending the dismissal of such a servant as Vinkiah. Whereupon Mr. Babington informed Vinkiah that he must send in his resignation and it would be accepted. This Vinkiah accordingly did. Mr. Babington then sent in his report, and Mr. Jordan wrote

informing me of the same. From this information I became fully satisfied why Mr. Babington, the South Arcot Judge, had removed Vinkiah, and had made this particular report. It was to enable him to furnish the Commissioners for the Chittoor Treasury case, the Judge of North Arcot, Mr. Bell, then sitting at Chittoor, with some strong grounds to support the current report which at that time was prevalent, of my having been concerned in the plunder of the Chittoor Cash Chest.

Mr. Babington's statement as his reason for so acting was that he "had heard;" but this hearsay could not justify the act, for Mr. Babington knew as well as I did, that his having only "heard," would not even have sanctioned his fining Vinkiah one rupee. Mr. Babington and the Suddr Court have both acted in this case directly contrary to a special order very recently republished, which called very particular attention, showing how to act when such charges were preferred, but according to the wishes of Peermal's patrons, Chocopah and Namasavoy Chitty.

Let the conduct of the Suddr Court be examined in the two cases here given. When Mr. Edward Bannerman sent in charges of a most serious nature against his superior, Mr. G. G., with abundance of proof, he was forthwith suspended the Service. These charges were ultimately proved to be correct. In this case Mr. Babington, the accuser, offers no evidence to his charges, yet they were such that, had they been proved, they must have ruined his superior, the person accused, that is myself. Now, not the least notice was taken of these charges made against me, even after they were shown to be every word false. In the first case, the person complained against was the

friend and partner on the turf with the Chief Secretary, and in the second case the person *accusing* me was the nephew of Lord Macaulay.

It would be affectation on my part to say that I know no reason why Mr. Babington should have volunteered in so uncalled for, and in so marked a manner, to introduce my name as he did into his report to Government, when dismissing so very improperly on mere hearsay evidence, an eminently useful old public servant, such as Vinkiah, and filling his place with one who had run such a very improper career as Peermal: and this in direct opposition to the recently expressed orders of Government. I am at a total loss to imagine anything which could have induced Mr. Babington to act so unjustifiably, unless it was for the purpose of introducing my name into his report, and that for a specific purpose.

I firmly believe that I do know what caused, not only Mr. Wm. Babington to act as above stated, but also Mr. John Vaughan, the First Judge of the Western Coast, to act precisely in the same way towards me, as he did in Abdool Khader's case; for I do believe that the animosity of both these gentlemen towards me had one and the same origin, which I shall here give.

It is with very great reluctance that I write on this subject; but I am so situated as to be actually forced, either to enter fully into it, or to leave Mr. Babington scathless.

A duty to myself, my family and to the Service—feeling how deeply I have been most severely injured—at last obliges me to come forth with the following statement.

CHAPTER II.

An adventure on a Sunday morning.—A "glorious tragi-comedy."—Macaulay on the Hills.—Lord Macaulay's and Lord Dalhousie's writings A hunting party on the Coondah Mountains.—A genuine bad dinner.

Mr. Babington was the uncle of Lord Macaulay; Mr. John Vaughan was married to a Babington. I had happened to be an eye witness of an occurrence which created no little sensation at the time at Ootacamund, and brought the name of Macaulay into some discredit. I had spoken of the matter without any reserve, as I saw no reason for concealing that which several others besides myself had witnessed. As my version of the facts would differ materially from that which Lord Macaulay has given, I shall not here enter into details; I shall merely record a few particulars of the incident.

I was proceeding somewhat late on a Sunday morning in the month of April, 1834, to the church at Ootacamund, which is situated on the road to Madras, when my attention was attracted by the sight of two palanquins passing the church, surrounded by a mob of men and women, who were endeavouring to arrest the progress of the first palanquin, the doors of which were shut. The mob did not at first succeed in their attempt, and the bearers were carrying the palanquins on the road to Madras, when a fierce contest arose. The conclusion of this conflict was that the palanquin bearers were forced to take another direction,

and to convey their burden to the house and office of the commanding officer of the district; here a gentleman stepped forth from the first Palanquin, and, followed by several persons, entered the office.

On enquiry, I learned among other things that in the palanquins were Mr. Macaulay and his servant, who had started from the residence of the Governor General. In a short time the gentleman and those who had followed him came out. He re-entered his palanquin, and was borne away on the road to Madras, while the mob quietly returned up the hill the way they had gone down.

I accosted one who appeared to be the leader, and asked him what had taken place. He replied, "Tom Macaulay, Saib is a very good gentleman; . . . he gave . . . 100 rupees.

On the following morning I met several gentlemen collected at the gate of the Government House, who were waiting for the Governor-General, Lord William Bentinck, to come down to breakfast. The whole story of the 100 rupee affair of the previous day, of which various versions were in circulation, was the subject of their discourse. I related what I had seen; the Chief Secretary, Mr. W. H. MacNaghten, urgently requested that the matter might not, on any account, be mentioned to Lord William. Scarcely had the breakfast commenced, when his Lordship, addressing his Secretary, said—"Well, MacNaghten, so Macaulay is gone?"

"Yes, my Lord, he went yesterday," was the Secretary's answer.

"And a pretty exit that was he made," said the Governor-General. The Secretary looked surprised. "You think, Mac,"

continued his Lordship, "that no one knows anything that is "going on, except yourself: pray, who tells me everything but "Tom, the Barber! Tom got 10 rupees for assisting in "Macaulay's exit." After some further talk on the subject Lord William Bentinck remarked that "On the whole it was a "very silly affair," and from that day Macaulay was styled "Silly Tom," instead of "Lucky Tom," in the gossip on the Neilgherry Hills.

Besides relatives, Mr. Macaulay had several friends on the Hills, who joined in turning into ridicule the story of the Palanquins adventure. It was, they asserted, a matter wholly unworthy of notice, being nothing more than a tale made up by Tom the Barber, and a gentleman who, only a few weeks previously, had been suspended the service for mis-conduct. True, I had only a short time previously been suspended the service on account of Mr. West's sale. This sale affair was at the time under appeal before the Supreme Government then stationed on the Neilgherries. The attention of the Chief Secretary, Mr. MacNaghten, (afterwards Sir William MacNaghten, and murdered at Cabul) being directed to the contradiction of my statements respecting Macaulay, corroborated as they had been by Tom the Barber, a meeting of several gentlemen, some of whom are still living, was convened upon the subject, at the house of General Morrison.

For several days after this meeting much conversation took place at Ootacamund regarding Macaulay's exit. It was discussed with considerable acerbity, and was followed up by a correspondence of a somewhat similar character. If I were to write on this subject, with the object of explaining, I could only do so by giving the "tittle tattle" of the day, commonly

termed "Ootty gup," which I object to. I must, therefore, only state that all I know is, that several attempts were made to show that the story told by an eye witness, and also by Tom the Barber, was altogether false. This I knew from applications being made to myself regarding the matter. I also knew that Sir William MacNaghten had expressed himself warmly, and was much displeased at the attempts thus *made by Macaulay's friends on the hills*, to prove false his part of the story, for they had contradicted the whole affair in the face of the corroboration received by Lord William from Tom the Barber. This caused Macaulay to be written to, and informed of all that had taken place at Ootacamund since his departure. I heard nothing further on the subject till I read in July, 1879, Trevelyan's life of Lord Macaulay, vide page 155, vol. ii., the reader will there be very greatly amused to see what a fine long "most glorious "tragi comedy" an able pen has succeeded in making out of this "silly" case. This said "most glorious tragi "comedy" is certainly forced work, is full of blunders and very faulty; but this is better than if his Lordship, with all his talents, had made an attempt to prove a negative. Macaulay was not a popular man on the Neilgherry hills, far from it; the following simple facts will account for this—

After dinner at the Government House he very frequently absorbed all conversation for thirty or forty minutes at a stretch with some dry subject tiresome to many, particularly to those who had spent a long morning in Council. The wit of a clever little woman, Lady Holland, when a similar annoyance took place at Holland House a few years subsequently, soon found a remedy. Two or three taps upon the table with her Ladyships fan, and—"Come, Macaulay, we have had enough of that," stopped the annoyance. Colonel Casement was the only one on

the Hills of that party, who could have ventured to act a similar part.

There were other things which made a man in Macaulay's position unpopular, his name was, I have heard, seldom if ever seen on a subscription list of any kind. Report made him extremely parsimonious. It was stated that he never possessed, during his five years residence in India, a spoon, a knife, or a fork. And he never failed, when an opportunity offered, of showing his disapprobation of all missionary enterprise. Hence his agreeing so entirely with Sir Fred. Adams.

I believe it to be a mistake to suppose that Lord Dalhousie ever borrowed a line from the writings of Lord Macaulay. Strong evidence has been brought forward to prove that he did, and unless I offer some explanation, I must expect the statement of my belief to have little weight.

On Macaulay's arrival in India, two gentlemen were placed under his command to fair copy his writings. At this time many sheets of his history were commenced, or they may have been finished. These two gentlemen have since proved themselves among the first penmen of the day, as articles in the "Friend of India" and other works have proved. They worked for four or five years for Macaulay. These same gentlemen were some years afterwards employed on the Neilgherry Hills, in doing a similar work for Lord Dalhousie. This work was done at the "Eagle's Nest," Lord Dalhousie's residence at Ootacamund, which was situated next to my house, "Burnfoot." This brought me into contact with the Governor-General's party and staff. On frequent occasions I escorted the staff on hunting and shooting excursions over the Neilgherry Hills. It was on such occasions, after much excitement in the field, when

resting under a tree after a long chase, lunching on a hot curry, and with a weed in the mouth, that conversation flowed freely of a most interesting kind, but which never was intended to to be repeated. It was on such occasions that I heard what has induced me to come to the belief that many of Macaulay's fine-turned sentences were not his own; and this opinion has of late been strengthened by much further evidence. This I am assured of: Lord Dalhousie never became a plagiarist. It is very probable that if this meets the eye of certain gentlemen, the passages in Lord Dalhousie's despatches, just previous to the breaking out of the mutiny, will be explained.

Having on more than one occasion referred to hunting on the Neilgherry Hills, I feel sure that I shall be allowed to give a short account of a day's sport on the Coondah Mountains, in company with several members of the Government staff, all genuine sportsmen.

Seven of us met by agreement at the travellers' bungalow, at the foot of the Coondah range, fourteen miles from Ootacamund, our object being to explore those most interesting, wild, and unhabited tracts of this luxuriantly rich country. We had secured the foxhounds. Very early on the following morning we sallied forth, each had a couple of rifles and a stout pony; a coolie with some refreshments, a few steady attendants to carry the extra rifles and ammunition; these, with a horse-keeper to each pony, a few dog-boys as whippers-in, formed our party, consisting of about twenty-five in all. The morning was delightfully cold—frosty; the sun however, soon warmed the air. After half an hour's ride, all up hill, we dismounted to proceed to action on the Coondah Hills, out of sight of anything in any way resembling civilization,

all was luxuriantly wild,—and wherever the eye roamed, the scenery was exceedingly grand.

We had a delightful party, a chief was soon chosen to direct the whole of the movement, no easy task; he was assisted by two or three hillmen, who had previously accompanied the Governor, the Hon. S. R. Lushington's parties on similar excursions. We commenced beating the patches of jungle as we went along, and seldom had a blank. The music from the foxhounds in the echoing valley was stirring. Towards midday an elk of great size was found, the largest I ever saw, he was much wounded, the dogs knew this and followed him close, as did four of our party. We came up to him at last, and after a long run had a desperate struggle in putting the poor animal out of pain. But where were we? A heavy mist had come up from the valleys, and covered the hills, so that we could not see one hundred paces before us. No one knew where we were, or which way to turn; we, nevertheless, pressed on, saw a great abundance of game of every kind, but we did not want game, we wanted the Coolie, for we had had nothing to eat since early breakfast Far otherwise was it with the horses and dogs, they had done nothing but eat ever since they came out. We, however, pushed still on, but the mist became thicker as the day advanced. Our attention was called about midday to a very unusual addition to the uproar among the dogs, apparently all of them taking a share in making the noise. This caused us all to take to our places round that part of the jungle where the twenty-seven dogs were giving tongue. The big man of the party, J. P. G., asked me to post him; I did so in the bottom of a dry and open ravine, taking up myself a place behind a rock some hundred yards above him. The noise from the dogs,

many of these were old English foxhounds, continued to increase; my friend in the ravine called out "What is it?" I replied, "A Royal Tiger; he is coming down the ravine; look out sharp." No sooner had I uttered these words than J. P. G. with all the agility at his command, rushed up past me, saying as he passed, "I owe you one." The tiger had heard our voices, for he broke away up the open bank at right angles, carrying with him more than one two ounce ball, for there was a regular cannonade. We left his neighbourhood quickly. As soon as we got a little distance, we held a council, for the rain was coming on. It was decided to bivouac for the night near a very large old decayed tree, to collect a quantity of firewood, to place it against the tree, and then to set fire to the whole. This would be certain to keep away the tigers throughout the night, and would also warm us, for we were very wet.

It was now near seven o'clock, and all we had had to eat since an early breakfast, was a piece of unwashed Elk's tripe, roasted on an iron ramrod in the smoke of the fire made chiefly of green Rhododendron wood, as bitter and as tough as imagination could well make it, it was next to impossible to masticate it, although we were very hungry. All the meat of the elk had unfortunately been thrown away to enable the carrier to travel with greater ease, except this tripe which had been given to a little dog-boy. To mend the repast, my dog-boy brought me a piece of a barley-meal scone, intended for the dogs; it was positively more unmanagable than the tripe, for it was at least one-quarter of it sand. After this I was unable to say that I never had a bad dinner.

Weary, we laid down round the immense fire, wrapped in horse-cloths or cloaks. J. P. G. lay down on the right side of

me, and covering himself with a capital Cumbly, was soon comfortably asleep; he did not take his turn at feeding the fire. When it came to my turn to do so, I accidentally, in the act of getting up, put my right hand rather heavily on his leg. He had been sound asleep, dreaming no doubt of the tiger in the morning, for up he jumped, and started down the hill, screaming, "Tiger! tiger! tiger!" with all his might. This caused the twenty-seven dogs to give tongue, and the four horses to neigh. I flourished a burning stick, and others called out what was the matter; the only answer being, "G. has been carried off by a tiger." His voice had been heard going down the hill. What was to be done! ! ! We were in a sadly depressed state, when the grief was converted into roars of laughter, even down to the horse-keepers and dog-boys, at seeing J. P. G. make his appearance, his hair on end, and without his fine Cumbly, which he had left at the bottom of the hill. On his reaching the fire, he begged of me to be kind enough to go down the hill and bring up his Cumbly. When this story was told, one evening after dinner at the Governor's table, it caused much laughter, for the party was there well known. We did go down and bring up G.'s Cumbly, and were rewarded with the most delightful draught of cool water that I had ever tasted, although I drank it on my knees out of the brook.

. Next day we started early. We pulled up about 10 o'clock, and while resting were struck by more than one of the dogs setting up a howl, and in a few minutes after that we heard the far distant sound of a bugle, sent out with provisions to find us. We fired a salute, and we soon met. All was now well.

This account may appear to many not worth a place in these Reminiscences, if so let me make an attempt by adding a few

lines in describing what we saw in this hunting excursion, to render the account more worthy of perusal.

On the edge of the Coondah range of hills, there is a split rock called "Sesaparah;" this consists of two solid masses of granite, each some thousands of feet in height, and several thousand yards in length. There is a narrow valley between them with a stream of water. This rock must evidently have been split asunder at the subsiding of the waters of the flood, or by some violent volcanic action. These two halves of this gigantic mountain rock are now so resting, that if a power could be found sufficient to raise them up, they might, without any change being made, exactly be dovetailed into each other.

CHAPTER III.

Application for leave of absence—Granted—Interview with Colonel Havelock, Private Secretary—The day following the Judges and Register of the Suddr Court dismissed—Religious opinions a hindrance to promotion—Native Christian Government servants—Davasawgaminy, Puckamada Pully.

Shortly after Mr. Lewin's appointment as Second Judge in the Suddr Udawlut, Mr. Waters being the First Judge, I became aware that the old Provincial Court work was again about to take place in the Suddr Court. Fortunately for myself, as well as for others, Mr. Lewin was opposed in some of his mischief by the First and Third Judges, consequently we escaped some trouble. I was warned to be on my guard.

It would be a most unpleasant duty for me to drag the notoriously disgraceful squabbles, which took place at this time in that Court, into the pages of my Reminiscences. I have already reluctantly said more than sufficient on the subject. I very soon distinctly saw danger approaching. By the advice of a friend, I applied for a month's leave of absence on urgent private affairs. My object was to see the Governor, and to warn him against Mr. Lewin's repetition of his attacks upon me.

The leave was granted. The Marquis of Tweeddale was at Ootacamund. I arrived there on a Thursday, and applied for a private interview. It was pointedly refused. I then addressed

the Governor through the private secretary, Colonel Havelock, stating my earnest desire for an interview with His Excellency on urgent public business. It was again refused, but I was informed that I was at liberty to communicate to the private Secretary anything I thought proper. On the following morning (Friday) I had, in consequence, a most satisfactory interview with Colonel Havelock, the private secretary. I placed before this gentleman memoranda of considerable length and importance for the information of the Governor. I had also much earnest conversation regarding the duties of my Court at Hoonore. I returned home well pleased with the interview. On reaching home, I was gratified to find a kind and friendly invitation to dinner from the Marchioness of Tweeddale; we went. On the following evening (Saturday) I received a private note from the Chief Secretary, asking me to see him on Monday morning. I called and found him in his garden. We had long known each other, and he accosted me in these words, "You will not be surprised to hear that on Saturday the "Council dismissed the three Judges of the Suddr from office, "and likewise the Register." I asked what had caused this, he did not explain, but he stated, "*You ought* to know." I had here a satisfactory reason for the refusal by the Governor to grant me a private interview. It might have been afterwards stated that I had made some unjustifiable use of the interview, had one been granted.

This entire sweep of the Suddr Court was, no doubt, a most judicious act of the Marquis of Tweeddale. He discovered in Mr. Lewin's appointment, that he never should have been put into the Suddr.

I was informed by the Chief Secretary, that it was not

deemed advisable to place me in the Suddr, or any one who had been connected with the religious squabbles, which for some time past had been going on, and which had disturbed both the "Services for years." The views entertained on this point in official quarters, and thus communicated to me, had their source, according to my judgment, in misapprehensions of the true state of things. The antipathy of certain men in high places in India to what they were pleased to term "new lights," may be considered the primary cause of the unjustifiable proceedings, of which I was, through a series of many years of service, the victim. The Indian mutiny illustrated, in my opinion, the natural results of a policy of cowardice which I have lamented, not so much for the hardships it inflicted on myself, as for the restriction it placed on the extension of the glorious Gospel of Christ to the native heathen.

I fully at last learned what I had gained by my hard-fought battles in favour of such Christian public servants as Tambysamme, Rozario, and others. These were old servants of mine, and were both promoted by Government, on my recommendation before I left India, to the highest grades—Principal Suddr Ameens on five hundred rupees a month; one of these had heen ten years my Sheristadar. Promotion was also given to Puckanada Pully and George Larpent Smith, the first two native Christian Judges ever made.

Another Native—Davasawgaminy—the first I ever saw sit at the table of an European, was an honest, upright, intelligent, well-educated man. I had a great wish to make a Native Judge of him, but this was not to be, for the Church Missionary Society found him out, and the prefix of "John" was soon

placed to his name; and not long after, another prefix "the Reverénd" was added. I was much pleased at all this, and so was another, who was very dear to me and who had long been much interested in him. We heard the "Reverend John Davasawgaminy in the Verandah of a "Go-down," and we heard him in fine buildings. I fear my taste may not be esteemed good, for I preferred "John's" discourses in the former pulpit; nevertheless, whenever I heard him expound the simple Gospel in the Oriental language, it was glorious; so that if I lost in this world's goods by my battles, I got in exchange that which was of inestimably greater value, as I could not but feel, in paying attention to "John" when he preached, and also in reading such passages as Peter's 1st epistle, the latter part of the 2nd chapter, and other words of God.

Puckanada Pully was one of Swartz's Tanjore Native Christians, commonly called "caste Christians;" he was a man who had received a good education. It was not discovered until some time after his appointment that he had been a high caste Christian. He continued to wear the caste mark on his forehead, which was not approved of by some persons. The Government regulations were, that when a Judge was nominating for the situation of Native Judge, the selection must be confined to a "high caste Hindoo or a Mahommedan." Considerable fault was therefore found by superior authority when the rule had been here, as they thought, infringed, by the appointment of a Christian; but, on its being explained that *he had* been a high caste Hindoo, he was allowed to retain his post, and the difficulty fell to the ground.

CHAPTER IV.

Ten years' hard labour at Hoonore—Sick leave to the Cape—Reflections on the voyage—The Leper at Cape Town.

After ten years' hard work at Hoonore, and much suffering and anxiety in an Appeal Court, where there was no Assistant Judge or Suddr Ameen, as was the case in all the other Courts, and yet a much heavier file of cases, and a much smaller establishment of official servants, a salary one-half less than several of my contemporaries, and one-third below every other Judge, who were all many years my juniors, I felt that a holiday was necessary. I obtained leave on sick certificate and went to the Cape of Good Hope.

On the voyage there was time for reflection. As I mused over the things of the past and the scenes I had left, it appeared to me that man's failing and his fault is, that he does not know the full value of the "Word that endureth for ever."

We are many of us struggling to secure that which will give the greatest amount of happiness, but in this we are working in very different ways; and how few there are among us who prove by their acts that they believe the greatest happiness attainable on this earth is to be found in a life in harmony with

the full assurance of salvation. Give me your attention for a few moments.

In the Lord's Word we have passages difficult to comprehend, except with the assistance of the Holy Spirit to bless mature consideration: and there are also commands difficult to obey, except in the power of the Grace of God which strengthens our weakness.—That "Christ our Lord was made perfect through "suffering," may be classed among the passages difficult to comprehend with our finite understanding; and to "rejoice in "tribulation," may be placed among those commands, which can only be fulfilled in the promised "sufficient" Grace of the Almighty. I desire to recall, previous to closing this little work, one of my sweetest reminiscences as a comment on these two passages of Scripture; I trust the reader will be able to enter fully into it with me.

One day when walking in the streets of Cape Town with a kind friend, (Col. J. F———d), I was asked how I intended to employ my time when I retired to England? Without waiting for my reply, he said, "Become a City Missionary." I stated that I was not fit to undertake such a duty. My friend then said, "Come with me and I will try you." I consented, and while on the way my friend cautioned me not to be startled or frightened from the mission I was then on, by the object that I was about to visit; as we were going to see the only Leper in Cape Town—an European, who from the awful state in which he was, had escaped being sent to Robin Island, to be placed under the charge of the Moravian Missionaries. My friend informed me that my wife allowed this poor man 2s. 6d. a week for his support. We soon reached the house where this leper

was confined: there on a bed, clean, but of the most simple construction, lay the living remains of a once able-bodied man, by trade a mason, and one who had been blessed like most of us, with the possession of healthy members; but now these—hands, feet, nose, ears, lips, teeth, &c., &c., were all gone, and only the marks where they had once been remained; yet the man was able to speak, and rightly to understand everything that was passing or said to him; his answers to questions were astonishing, and though he could neither read nor write, yet he quoted correctly several texts from Scripture, and gave us short passages of his life, for he had been for seven years a great sufferer.

Whilst we were conversing, his attendant brought him a bowl-full of something to drink; holding the bowl between the two stumps of his wrists (his hands by the wrist joints were totally gone) he was able to bear it to his mouth, but as this was not accomplished without difficulty, I was stepping forward to assist him, when my friend hastily caught hold of me, saying—"You must on no account touch him."

After a few minutes more conversation, my friend asked me before we left to offer up prayer. I consented, and whilst praying I besought the Lord in mercy to alleviate his sore sufferings. I was not a little surprised to hear the poor sufferer energetically object to this part of my prayer, and I could not fully understand what he meant, until he explained himself, which he did with wonderful clearness. He stated that, although his sufferings had been very severe and long, yet they had proved the greatest blessing he had ever received, for when they were at the greatest then he remembered that the Lord had sent them all, and that not the least of them could have touched him without His per-

mission: this brought him nearer to his Saviour when on the cross, and there "looking off to Jesus," produced such resignation, peace, and happiness, that he was able to esteem these acute sufferings as the Lord's holy messengers from heaven, sent in disguise, to give him pleasure, and to enable him to glorify God. I concluded prayer, feeling that I was in the company of a Child of God, and an heir of the Kingdom with Christ.

I have a little more to add on this subject. Several years after I had returned to England, I went one day with a large party (some of whom may remember the circumstance) to the Freemasons' Hall. A gentleman when there addressing the Meeting regarding the South African Moravian Mission, made allusion to the lepers of Robin Island; and strange—which caught and rivetted my attention—the speaker gave to the meeting a full and most interesting detail of this poor leper's life, mentioning the particulars of his death, which took place soon after he had received a visit from two Indian gentlemen. The speaker then went on to relate, that one of these gentlemen when praying asked the Lord to alleviate the agonies this poor sufferer endured, that this poor leper had stopped the gentleman when thus praying, and explained that these sufferings proved to him the source of his truest and greatest pleasures. When the speaker had concluded, I walked up to where he had taken his seat on the platform, and said, "I am the gentleman who was praying with the poor leper, and the other Indian gentleman to whom you alluded as being present at the time, is the Officer who so lately led the advance guard of the army—his own Regiment, the 22nd Infantry, to prepare a road through many miles of Abyssinian desert, with his sword in his right hand, and his well-worn Bible in his left breast pocket, which was

frequently brought into use, when the shade from a rock furnished a shelter from the scorching rays of a tropical sun. It was this gentleman who cheered his followers up the walls of Magdala, and who still lives daily adorning the Gospel of our Lord and Saviour by magnifying His precious name."

CHAPTER V.

Return from the Cape—Troublesome characters—Mohammed—Inspection of jail—Wounded—Sentence of the would-be assassin—Mutiny on board the Clarissa—Escape to the jungles. Execution of Mohammed—Ordered to retire from the Service—Harshness to an old and wounded servant.

On my return from the Cape of Good Hope, various reports were in circulation regarding troublesome characters from the Gôa and Sawant Waree districts. I could not agree with the Madras Government, that the proper way to treat such was to show them great favour, and thus win them over. I held a contrary judgment. I had not returned to duty more than a few weeks, when I was called upon to act regarding a man who proved to be a regular desperado. This man had several "aliases;" I shall call him Mohammed, having much to say regarding him. He had caused Sir James Outram some trouble in Sawant Waree, and had then fled into Gôa, where Sir James followed him. We next hear of him in the Soondah district in my division, where the head of the police, not being able to obtain a satisfactory charge against him, privately, made a report which was sent up to Government, regarding him. Government had too much on its hands at this time, to pay attention to the long history of Mohammed's evil doings. An order was therefore sent to the police, by way of keeping him quiet and, having a hold on him, to give him some employment. Mohammed was in consequence made a police peon. In

this act I could only see another manifestation of great weakness if not of cowardice. Soon after this, Mohammed was called upon to do duty, to carry a notice to a village not far distant. This he objected to do, unless he was advanced a month's pay, which the head of the police had no power to grant. Mohammed however, started to serve the notice. A few hours afterwards a woman presented herself before the head of police, complaining of having been robbed of six rupees and eight annas. She described the man who had robbed her and the place; the description answered to Mohammed. The head of the police sent to arrest him, and bring him direct to the office. This order was duly executed during the course of the day. The woman deposed to Mohammed being the man who robbed her of the six rupees, eight annas. Mohammed denied her statement very indignantly. The head of the police ordered him to be searched, which was accordingly done, when six rupees, eight annas were found upon him. When asked regarding where he had got this money; he gave an account which proved false. The head of the police then gave orders for the case to be sent down to the Sessions Court. Mohammed upon hearing this dashed forward, and with a short knife, that he had kept concealed in his sleeve up his wrist, struck the head of the police and cut him severely on the shoulder; the blow glanced down and made a second wound above the knee. The head of the police recovered, and Mohammed was sentenced to fourteen years imprisonment with labour on the roads. After this he amused his friends with the accounts of his attacks on Sir James Outram when in Sawant Waree. Mohammed had not been long in jail before he showed that he was going to give what is well known as "lots of trouble." He would not obey the jailor, and was in consequence tried and

sentenced to twenty lashes. He was tied up, and in my presence the punishment commenced. But after a few lashes it was stopped, and he was taken down, and brought up to me. In his presence I addressed the jailor, and told him that if Mohammed objected again to carry mud, the duty which he had refused to perform, he was to tie him up and give him the remaining lashes due to him. After that he obeyed, and carried the mud, but very sulkily.

Some few days afterwards, when visiting the jail, as usual in company with the medical officer and attendants, among several other who wished to address me, came Mohammed. Having advanced to within about three yards of where I was standing, he threw a stone, weighing two pounds seven ounces, with great violence at me; it came in direct contact with the upper part of my face, but as I had on a broad-brimmed straw hat, with a turban rolled many times round it, the force of the blow was greatly broken, and I believe my life was thus spared: but the blow was violent enough to bring me to the ground. There near to me, I saw Mohammed also on the ground, and many of the convicts trampling upon him. A Sepoy guard, near at hand, was called in to assist the doctor, the jailor and the attendants in extricating him. At this moment a mist came over my vision, and it was late on the following day before I was able to ask my medical attendant who was standing by my couch, what was the matter with me, and what had happened.

Severe as this blow had been, it was not long before I was able to do a little work on my couch; but on going up to the Bench I plainly felt that I had lost much of the faculty of hearing, which from its acuteness had ever been to me of peculiar value. My medical attendant, Dr. Leslie, informed me that

this deafness was only rheumatic, and was occasioned by exposure to the land-wind on a wet couch with the view of keeping down fever. He advised me, as probably nothing short of a voyage to Europe would cure it, to apply for a three years' furlough.

It is necessary here to state that previous to anything being done, an order was received, appointing a Special Court to try Mohammed. The officer appointed was Mr. Anderson, Judge of Mangalore, and to that Court all connected with the case had to attend. The trial was a short one, the sentence was transportation for life to Bencoolen.

Among Mr. Anderson's servants in the Court on the day of the trial, I was struck by still seeing Abdool Khader, the servant on whose account I had suffered. Mr. Anderson, observing my looking at Abdool Khader, remarked, "You seem surprised, and "well you may be, but I have done my best to get the man out "of the Court. Only a short time ago I adopted a new way; I "recommended him for promotion, and I got well wigged for "doing so, that is, I was censured for recommending a perfectly "useless servant for promotion. I got better off you see "than you did when you meddled with this servant. Yours "must have cost you a lot of rupees." Abdool Khader's case cost me more than two lacs of rupees, and that does not include one rupee of interest.

I shall state here another fact. Had Mr. Thompson, Mr. Forsyth, or Mr. Bird, any one of these three Zillah Judges who had formerly dismissed Abdool Khader the service (and it was particularly Mr. Bird's duty to have done so) addressed Government, stating who and what this man was, and how he had

obtained his situation, I should not only have been saved every rupee I lost, and much sore trial for years, but I should in all probability have received much praise from my superiors for removing such a character, for it must now be clearly perceived that I deserved more praise in Abdool Khader's case than when I received such strong praise from my superiors in West's sale case, when I removed the father and brother and others connected with the widow of the deceased Judge of Chittoor.

I forwarded Dr. Leslie's medical certificate to the Local Government, and solicited permission to be absent for the space of three years on furlough allowance of £500 per annum, stating that I had not been absent on furlough for upwards of twenty-five years, the time specified in the absentee rules; and that, as shown in the medical certificate, I had been severely wounded when in the execution of my duty, and was in consequence at present unable to perform my duties. The leave was granted, and I returned to England.

After leaving India I received the following account of the short career of Mohammed. He was sent with a large gang of sentenced convicts in a vessel chartered by Government to convey the lot to the island of Bencoolen. When half across the bay, this gang mutinied, murdered the captain, the officers and those who opposed them; then took possession of the ship, and ran her "high and dry" on the Coromandel coast, they then got on shore and escaped into the jungles. All this in a measure, was some gratification to Lord Dalhousie, for his Lordship had long advocated greater severity and less expense. There was scarcely one of the whole batch who ought not to have been hanged years ago; however, the old saying always comes true, "better late than never." Lord Dalhousie issued a reward of

some thousands of rupees, which soon obtained the apprehension of these poor wretches. Report says that Mohammed delivered himself up and demanded the reward; whether this last is true or not I cannot say, however, they were all hanged.

Sometime after my return, my case was placed before the Honourable Court of Directors by the Local Government, and after some delay that Court decided that I was entitled to a furlough of three years on £500 per annum; *but to my astonishment there was annexed to this an order, heard now by me for the first time,* that at the close of this furlough, according to the new rules, I must retire from the Service.

There would have been greater justice to me if, 25 years previously, the Court of Directors had passed a rule by which they obliged me to leave, at the same time with several other servants of the Government, on account of our religious opinions, for I should then have been entitled to a pension of £600 per annum, and should have been free, in the prime of life, to seek employment in the service of those whose sentiments were more congènial with my own.

Situated as I then was, I had no option but to accept this decision of the Honourable Court, although it appeared to me, in the first place, most unjust in principle, and in the second place very unfair in practice to an old servant placed in the position in which the Court knew me to be.

I have said that this decision appeared to me not only unjust in principle, but unfair towards myself. I will give my grounds for this opinion. I did not ask to be allowed to retire from the service, and I believe I am stating what is correct when I say that the new rule referred to, and acted upon *for the first time*

by the Court in my case, was not applicable to me. At the time I was wounded there was no such rule in existence, consequently this rule was in my case *ex post facto.*

In the second place if this rule had been applicable, I might have hoped on good ground on pleading the peculiarly painful circumstance, which forced me to appear as a suppliant before those in whose service I had long laboured, where I had been wounded, and had nearly lost my life, the rule would not have been allowed to take effect in my case. I had the more grounds for entertaining such a hope, that only a few months previous to being wounded, I had been restored by Lord Harris to the receipt of the same emoluments from which I had, twelve years previously, been deprived. During the twelve years that had ensued after the suspension of these emoluments, I had been working in a Court heavily laden with business, without any assistant and a salary that was much lower than that of any other Judge on the establishment. Under such circumstances, I repeat it, even had the rule been applicable to my case, it ought not, I consider, to have been so applied. I could not but deem this decision of the Honourable Court to be alike harsh and unfair.

It must be evident to all, had I known that this *ex post facto* rule was applicable in my case, that I should on no consideration have asked for the furlough of £500 for three years; and for this simple season—a reason which must have been evident to every member of the Honourable Court—because, as my name had been at the head of the Civil Service List for some years, if I wished to retire from the service, I could have taken my pension of £600 whenever I desired it. By this decision, therefore, of the Honourable Court, they simply deprived me of £300.

Nothing was done in this matter until I laid the case with full particulars for the first time before Sir C. Wood, then Secretary of State for India, and was informed in reply that the decision already passed on my case by the Honourable Court of Directors could not be disturbed, and from that day this has been the reply of every Secretary of State to whom I have applied, up to the time when the Honorable Edward Stanhope, Assistant Secretary to the India House, stated in reply to Lieut.-General Shute, that the "persecutions complained of, "having occurred so long ago as 40 years, and having been "again and again enquired into, he could not hold out the "slightest hope of the case being reconsidered." The Honourable gentleman added, that "if his gallant friend, General "Shute, only knew the facts of the case, he would not be dis-"posed to press it further." I may here state that allowing this statement to be correct (which I most certainly do not), and that facts could be shown against me that would induce General Shute to abandon my case, he would in producing such, show that the Indian Governments have been guilty, not only of acts of gross injustice towards me, but of disobedience to the standing orders of superior authority, in not having made known to me, agreeable to those orders, all that I have been accused of; moreover that they have been much to blame in employing me, as it has been shown that they have done, on more than one occasion, on most important duties while anything existed against me. I may here remark, as I mentioned to Mr. Stanhope, that his is "the only adverse private judgment I have received during the last 40 years."

My firm belief is that this decision of the Honourable Court regarding my furlough, is the only one passed on any case of mine. If ever the Honourable Court investigated or

decided upon any other, it was done totally without my knowledge.

Sir James Melville, the late Secretary to the India House, promised to get this affair rectified; but the changes which immediately took place, the mutiny, the transfer of the Government, and my own health, prevented anything being done regarding this sum of £300. It was, although much to me, a very small item among the many thousands of which I had been unjustly deprived. Nothing was therefore done, until, as just stated, I laid my case for the first time before Sir Charles Wood. It was this, I have no doubt, which induced Lord Stanley, now Lord Derby, to write to me that if an opportunity offered, he would speak to Sir Charles on this subject. But here another change took place. My firm belief is that this decision arrived at by the Honourable Court regarding my furlough case, is as stated the one referred to by Sir Charles Wood, and was the only decision ever given. Fortunately for me I was a non-subscriber, and therefore only suffered a loss of £300; had I been a subscriber I should have lost £1,500 by this order of the Honourable Court. This decision satisfactorily shows that the furlough of £500 per annum could not have been granted as a compensation for any injury I had sustained.

—o—

MAGNA EST VERITAS ET PRÆVALEBIT.

[PRINTED FROM THE ORIGINAL DOCUMENT.]

APPENDIX A.

Memorandum for the information of Government.

To the Sheristadar of the
Civil and Sessions Court, Honoore.

After examining the records place answers to the following fifteen questions.

(Signed) F. LASCELLES,
Civil and Session Judge.

Nov. 1846.

1.—Since Nov, 1844,(two years) state what number of cases have been disposed of by me as Session and Subordinate Judge in this Court?	217.
2.—Of these what number have been reversed by the Foujdaree Court?	None.
3.—What number of these cases have been modified or altered?	None.
4.—State all the instances in which the records show that the proceedings in the Session or Subordinate Court were considered by the Judges of the Foujdaree Udalut illegal or irregular, or had been in any way improperly conducted by me during the above-mentioned period?	The records do not show one instance of illegality or irregularity. In one case No. 31 of 1844, wherein sentence had not been passed, and which was referred to the F. U. in consequence of the Session Judge having dissented from the Futwah of acquittal, given by the Mohamedan Law Officer, the

Foujdari Court did not concur with the Session Judge in the conviction of the Prisoner.—In another case, No. 4, of 1845, the Judges remarked that a sentence of two years passed on a woman appeared too lenient. In case No. 22, in which the prisoner was acquitted, they were of opinion that the proof was sufficient for conviction. The Session Judge had been induced to acquit in this case, because it appeared that at stated periods prisoner was not in her right mind. And in No. 1 of 1846, in which the prisoners were acquitted of Culpable Homicide, the Judges were of opinion that the evidence would have been sufficient to convict the 1st prisoner of assault, if the second prisoner had been converted into a witness. To this the Session Judge answered, that an attempt had been made to convert second prisoner into a witness, but that it had totally failed. In addition to the above, the Judges made certain remarks when calling for explanations regarding a Batta statement, but since the explanation was given, no reply has been received.

5.—What number of Miscellaneous petitions have been disposed of in the Criminal side of this Court, since the 5th November, 1844?

450.

6.—Of these what number have been reversed by the Foujdaree Court?

None.

7.—What number modified or altered?

None.

8.—Do the records show that any part of the proceedings connected with

It does not appear that any part of the proceedings held connected with

these Miscellaneous Petitions, was considered by the Judges of the Foujdaree Udalut illegal, irregular, or in any way improperly conducted during the above-mentioned period?

these 450 Miscellaneous Petitions, has met with the disapprobation of the Higher Court.

9.—Since November, 1844, what number of Civil cases have been decreed upon by me as Appeal Judge of this Court?

176.

10.—Of these what number have been reversed, modified, or altered by the Suddr Court?

None.

11.—What number received in Special Appeal?

None.

12.—Do the records show that any part of the proceedings in the Civil side of the Court, have been considered by the Judges of the Suddr Udalut illegal or irregular, or in any way improperly conducted, during the above-mentioned period?

They do not.

13.—What number of Miscellaneous Petitions have been disposed of in the Civil side of this Court since the 5th November, 1844?

1088.

14.—Of these what number have been reversed, modified or altered by the Suddr Udalut?

None.

15.—Do the records show that any part of the proceedings connected with these Petitions, has been considered by the Judges of the Suddr Udalut as illegal or irregular, or in any way improperly conducted during the above-mentioned period?

They do not.

(Signed) L. S. Rozario,
16 November, 1846. Sheristadar.

APPENDIX B.

[Extract from a Letter to the Madras Government, on the Chittoor Treasury Case, by Mr. Lascelles.]

PARAGRAPH 40.

"I DO NOT mean from all I have stated that the cash chest at "Chittoor has not been plundered, for I do not only believe it "has been plundered, but I believe it will be no difficult matter "to show by whom, if a suitable opportunity is given; but I do "mean to say that on such evidence as has been adduced, it "appears to me preposterous to charge the late Sheristadar, on "whom the greatest part of the blame has been, in my humble "opinion, unjustly placed. Mr. Bell's report, however, does "contain a charge of corruption against this servant whilst "under my authority; I therefore hope that he may be heard in "defence. I cannot charge my memory with having ever seen "one preferred on such evidence, with the exception of the "charges against the same servant in Document B.

"I believe that I am asserting what is correct when I state "this is the first instance of any charge of a like nature having "ever been made against any servant under me at the time the "act was said to have been committed. This may be attributed "to the great severity stated to have been exercised by me "towards the Native servants, remarked upon a second time in "a very recent despatch from the Honourable Court, and

"against the repetition of which I am again warned. I here beg "respectfully to be permitted to express a hope that recent "events have proved (in the cases alluded to by the Honourable "Court), that if I did act severely I acted on just grounds.

"In conclusion, I beg respectfully to remark that Government "will clearly perceive that I am in no way responsible for this "defalcation in the Chittoor Zillah Court Treasury, that it is "quite impracticable for me to furnish a more satisfactory "explanation than I have done regarding these very intricate "accounts, when I have nothing to assist me beyond these "reports, and it will also be perceptible that for want of satis- "factory information, such as I should be authorized in bringing "forward officially, I am not able to show the extent of the "intrigue of this faction in the matter now under consideration.

"From what I have stated above, particularly at paragraphs "18 and 44, it may be asked why I have not at once "furnished the information, and pointed out the mode by which "the guilty might be convicted and punished. Many years ago "I should have yielded to the impulse which now urges me and "have frankly disclosed the amount of information at my "disposal. But what has been the reward of my former efforts "to expose villany and subdue corruption? It is true I now "see many whom I have denounced, disgraced and punished "Mutial Naick on the roads; Suddr Ameen Lutchminursoo "Puntloo banished and disgraced; Kistniak the old Sheristadar "and Mohaddeen the Nazir, and many others dismissed by order "from the Council table, whilst I have been pronounced free "from blame, and after many suspensions and removals restored "to the Appeal Bench. But it is equally true that disgrace and "very severe loss have been the immediate consequences. It is

"equally true that at this moment I am doomed to labour in a "climate uncongenial to my constitution, and in a Court where "the labour is rendered all but intolerable from my ignorance "of the language of the inhabitants of the district; and "although I am thought worthy to fill a situation as arduous "and as responsible as that of any Judge in the country, I am "not deemed worthy of that reward which every other Judge "receives, and which, by my standing in the Service, I could "claim, and which I fearlessly assert my labours deserve. I am "therefore wary of volunteering evidence which craft may "ingeniously turn aside, and malice may convert to my renewed "discomfort, disgrace and loss. Encouraged by Government, "sanctioned by its appointment, and protected in the exercise "of my honest convictions, I will devote myself, if called upon, "to the detection, and as I believe successfully, of this daring "robbery; and if I should not succeed in regaining the plunder, "I shall, however, promise myself the satisfaction of bringing "the guilty to punishment and freeing the innocent from "suspicion.

"If there is anything I have advanced in this defence of my "conduct, wherein it appears to Government I have exceeded "the duty given to me, I must pray to be excused, and beg that "it may be attributed to my anxiety to place the Government "in possession of what appears to me to be the full merits "of the case, to remove the unfavourable impression which such "reports must have made, and to raise myself from the degraded "painful position I hold in the Service, to a level with my "brother officers of like standing; and thereby put a close to "these calls for such explanations, for I do feel they have had, "both publicly and privately, a most injurious effect."

* * * * * *

My offer was not accepted. Why was it not?

Junius tells Sir William Draper that "You may kill a man with questions." The honest answer to this question would at the time have done me no good. The Judges of the Suddr Udawlut did not approve of my being employed on such a duty; and it is possible the Indian Council have not approved of my case being investigated into now, for probably the very same reasons.

A Commission, and that only, can bring to light why I was not, after this, appointed to report on this Treasury affair, and why objections have so often been made to re-open my case.

THE END.

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Digitized with financial assistance from the
Government of Maharashtra
on 18 July, 2018